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Dear Colleagues,

Unite’s core reason for organising in construction is to improve standards and working conditions for members. The poster at the centre of this issue sets out what those basic standards should be, ensuring workers are paid fairly and work in safe conditions being the most important. Please make every effort to pin the poster up at your workplace, so we can spread the message about what Unite strives to deliver for construction workers.

An essential part of ensuring every workplace is safe is to make sure that you have the correct personal protective equipment (PPE) and it fits correctly. On page 10 Unite’s national health and safety advisor Rob Miguel, details the laws on PPE and what should be worn and when.

Unfortunately the casual, short-term nature of construction too often results in crooks and other unsavoury characters operating in our industry, who seek to profit by exploiting workers. The article by Roger Bannister the chief executive of the Gangmasters Labour Abuse Authority (on page 14) details how to spot signs of exploitation which can occur on sites both large and small. It should be a must read for everyone, we all have a duty to stamp out exploitation. Getting work done on the cheap is only possible by undercutting union rates and unscrupulous employers will stop at nothing so we must be the eyes and ears of the industry.

I have mentioned Unite’s priority is to ensure that workers are fairly paid and that is why the Park Adfer dispute (detailed on page 16) is so important. It is essential that our national agreements, which ensure a level playing field are fully and properly applied.

Finally, can I ask you ensure colleagues are receiving copies of buildingWORKER, which I am sure you agree is a unique resource for construction members. All construction members simply need to do is opt in to receive free copies, details of how to do so are on the back cover. Contact barckley.sumner@unitetheunion.org if you would like to place bulk orders for workplace organising.

Gail Cartmail
assistant general secretary
Craftworkers reject pay offer as disgust in employers attitude increases

Thousands of Unite construction members employed in local government, working under the ‘craft worker red book agreement’ have rejected the proposed pay rise.

The workers voted to reject the two per cent increase and are now urging employers to return to negotiations. Members are angry in the way that local government employers have conducted the pay negotiations.

Employers deliberately delayed making a pay offer and then presented it as a ‘first and final offer’ preventing negotiations which is contrary to International Labour Organisation conventions.

To add insult to injury rather than wait for Unite to ballot its members on the offer it was instead imposed.

Unite assistant general secretary of Unite said: “These actions highlight the government’s total failure to assist the workers who have been most affected by Carillion’s collapse.”

Meanwhile Unite has announced that it is taking legal action for a group of members who were made redundant following Carillion’s collapse.

The workers were employed by Carillion subsidiary Planned Maintenance Engineering Limited on a contract at GCHQ the government’s listening headquarters in Cheltenham.

The claim made on behalf of the workers by Unite Legal Services is for a failure to make a collective consultation before making workers redundant.

The claim is made more complex as Carillion is in compulsory liquidation and Unite has had to apply to the court for the claim to proceed.

Unite assistant general secretary for legal services Howard Beckett said: “Unite is fulfilling its promise of using all avenues including its legal arm to defend our members who are the innocent victims of Carillion’s collapse.”

“The complexity of this case, which combines employment law rights and draconian insolvency law requirements, demonstrates why workers need a union, it would have been impossible for individual workers to pursue such a case.”

Dumping Carillion apprentices is ‘crass stupidity’

Unite described the news that the official receiver and the government had made redundant 341 apprentices who were formerly employed by Carillion, which collapsed in January, as ‘crass stupidity’.

The redundancies announced in late July came despite government assurances that the apprentices would be protected. The construction industry is experiencing skills shortages as a result of decades of failing to recruit sufficient apprentices.

The 341 apprentices comprised 1.6 per cent of all construction apprentices currently undertaking training.

The decision to make the apprentices redundant has renewed Unite’s call for the government to introduce public sector procurement rules that would require all companies bidding for and working on such contracts to train apprentices.

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Steep rise in bogus self-employment

A freedom of information (FOI) request made by Unite has revealed a further significant rise in bogus self-employment in construction.

The FOI response from the Treasury revealed that at least 1.12 million construction workers were paid via the Construction Industry Scheme (CIS), the stand alone tax system for construction where workers are considered to be self-employed but taxed at source. This was a four per cent increase on the previous 12 months.

In 2014 the government attempted to crackdown on bogus self-employment in construction, by barring worker operating via agencies and payroll companies, who were under the direction or control of someone else, could not be self-employed.

Since that decision the number of workers operating via CIS has increased by 18 per cent, far outweighing an increase in the construction workforce. Demonstrating, the government’s attempts to reduce construction bogus self-employment have been a miserable failure.

An incredible 49 per cent of 2.29 million construction workers were paid via CIS.

Government washes hands of umbrella companies

Thousands of workers, primarily in construction, are forced to endure the misery of being paid via an umbrella company.

Despite this, Freedom of Information requests made by Unite, have revealed that the Treasury has undertaken no research on how many workers are paid via an umbrella company for over three years and the department of business which should be an expert on such matters has never undertaken such research.

Workers operating via an umbrella company have to pay both employers’ and employees’ national insurance contributions as well as income tax which means they are taxed 46 per cent on eligible earnings. They also have to pay a weekly fee, sometimes over £25, to be paid in this manner.

Despite government indifference Unite has been successful in negotiations to bar the use of umbrella companies on many sites.

PwC feasted on Carillion’s carcass

Unite has called for an urgent review of the fees paid to companies involved in the liquidation of firms, after the fees charged by PwC following the collapse of Carillion became public.

PwC were appointed by the official receiver to manage, sell and break up Carillion following the company’s collapse in January.

The company is expected to receive over £50 million, in fees.

On average PwC charged £356 an hour for each of their staffs’ services. The highest rate of £1,156 an hour was paid to some pension specialists engaged by PwC.

Unite assistant general secretary Gail Cartmail said: “For the thousands of workers who have lost their jobs due to Carillion’s collapse, these figures will be viewed as both eye watering and excessive.”

Too often construction workers are forced to work bogus self-employed

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Government accused of being job killer

Unite described the government as being a ‘job killer’ when it refused to provide funding for the Swansea Bay tidal lagoon project.

If the project, which was heavily supported by the Labour government in Wales, had gone ahead it would have created 2,000 jobs many in construction particularly in south Wales and it would have given the Welsh economy a £500 million boost.

The construction industry in Wales could have particularly done with the increased investment as major projects have been scarce and are much needed.

Unite Wales deputy secretary Gareth Jones said: “The UK government’s decision is a short-sighted job killer with ramifications for the Welsh economy and the wider UK manufacturing and construction sectors.”

Westminster council and HSE accused of inaction

In July Unite accused Westminster council and the Health and Safety Executive of inaction after they failed to act after the union warned that construction workers were illegally living on a site.

Unite investigated after it was informed that a group of migrant construction workers were living on a construction site in St John’s Wood in north London, which was being undertaken by a company called Kunta Kinte Ltd. Despite Unite official Paul Lomax alerting Westminster council and the HSE to the problem both organisations sat on their hands. After Unite publicised its concerns that the workers were being placed in danger due to their living conditions, the HSE stepped in and immediately shut the site.

Mr Lomax said: “Workers must never be allowed to live on a construction site, the potential for serious injury is huge and there are also massive occupational health issues that need to be considered. Legal action needs to be taken against anyone who has allowed these dangerous practices to occur.”

See gangmasters article on page 14-15 for further information

Crawley latest council to sign construction charter

Crawley council in West Sussex has become the latest to sign Unite’s construction charter.

The charter sets out a list of conditions which ensure that the employment conditions of construction workers are of a high standard on all projects undertaken by the council.

The charter outlaws umbrella companies, ensures workers are directly employed, requires that construction agreements including pay rates are adhered to, apprentices are trained, safety levels are high, Unite is recognised and blacklisting is outlawed.

Crawley is the fifteenth council to sign the charter and follows hot on the heels of Bristol council which signed up to the charter in early summer 2018.

Unite has recruited all 24 construction apprentices who were signed up this year by Fife Council. At their induction the apprentices received presentations from Unite convenor John Gillespie and Ian McDonald from the union’s organising committee.
Aberdeen bypass in 15 hours a day advert scandal

Unite has called for an immediate investigation by the Scottish government after it was revealed that employment agencies had been advertising for workers to work excessive hours on the troubled Aberdeen Bypass project.

In one advert an agency was seeking an excavator driver for up to 15 hours a day plus weekends for 10-15 weeks, while in a separate advert two 360 wheeled drivers were sought for 70-80 hours a week for a six to eight week period. The joint venture project which is being built by Galliford Try and Balfour Beatty is massively behind schedule and has a very poor safety record.

Unite regional co-ordinating officer Steve Dillon said: “The latest revelations about the Aberdeen bypass are disgusting, such long hours are lethal. Workers cannot work safely undertaking such long hours, this is exactly how mistakes occur and too often result in tragic accidents.

“This is the latest scandal to hit the troubled Aberdeen bypass and the Scottish government and the Health and Safety Executive simply can no longer sweep these problems under the carpet.

“The rush to finish this already delayed project must not in any way be at the expense of workers’ safety.”

North West highways bar umbrella companies

Unite has reached agreement with Balfour Beatty on the Area 10 highways maintenance contract to outlaw the use of umbrella companies, and that all agency workers on the contract for over three months will be offered a permanent contract.

The ban on umbrella companies is a result of Balfour's own document: Modern Slavery and Labour Exploitation which is aimed at subcontractors and agencies and which states that Balfour will not allow its supply chain to charge direct or indirect fees for employment.

The Area 10 contract covers the motorway and major roads in Merseyside, Cheshire, Lancashire and Greater Manchester.

The contract ends next year and Balfour Beatty has announced that they will not be rebidding for the contract as they are no longer in the market for this form of work.

However, Unite will be ensuring that whoever inherits the contract will honour these local agreements. Regional co-ordinating officer Andy Fisher who brokered the agreement, said: “Not only does this alleviate the misery of umbrella companies on this contract but it demonstrates, that through negotiation, Unite is able to stamp out the misery of umbrella company exploitation.”

If you work on a Balfour Beatty site and are operating via an umbrella company speak to your shop steward or regional officer for advice or assistance.

Government must stop dithering on stalled West Mids hospital

Unite has called on the government to stop dithering and ensure work restarts as soon as possible on the stalled Midland Metropolitan Hospital in Smethwick, West Midlands.

The unfinished hospital has been mothballed and is deteriorating since the main contractor Carillion went bust in January.

The delays initially concerned how the hospital will be financed. Major contractors have made clear that they were no longer prepared to operate via any form of the private finance initiative.

The NHS trust responsible for the hospital asked the government in July to directly finance the project which was originally budgeted to cost £350 million and has now risen to over £500 million. In August the government agreed to directly fund the project but apart from some minor works the project has not yet restarted and when building worker went to press, no major contractor had been appointed.
Pay and Bargaining

Recognition secured at Crawley
Unite has secured recognition on both housing maintenance contracts operated by Crawley council.

In 2010 the council decided to outsource its contracts for social housing repairs. The contract was split north and south. The northern contract was awarded to Mitie and the southern contract was awarded to Mears.

In October 2017 workers at Mears secured recognition and elected Chris Vye-Parminster as their shop steward. This prompted workers at Mitie to also seek recognition and this was achieved in June this year. The Unite members have elected Steve Fry as their workplace rep.

Key issues for the workforce where Unite are now applying pressure include a lack of pay increases and no sick pay from day one.

Local Unite regional official Malcolm Bonnett, has paid tribute to both Unite reps who have played a key role in securing recognition.

Pay claim generator in action
Unite national officer Jerry Swain is urging construction workplace activists to use the union’s pay claim generator when they are involved in pay negotiations.

Swain has used the pay claim generator, which can be found at http://www.unitetheunion.org/work-voice-pay/pay-claim-generator/, several times, always with good results.

Activists are asked to put in certain key information and then a professional pay claim is automatically generated. The whole process can take less than 15 minutes and a pay claim is then produced.

Jerry Swain said: “The pay claim generator is an excellent tool it removes the complexity of producing a pay claim and I recommend it for all members.”

Aggregate workers secure pay increase
Unite regional officer Steve Syson has secured a 2.8 per cent pay increase for over 100 Unite members employed at Aggregate Industries, whose head office is in Coalville Leicestershire, although workers are located throughout the UK.

Workers at the company are split into two main sections. Some workers are involved in making building products such as cement and bricks while other workers in the company undertake quarrying work.

Workers received the pay increase in June and it was backdated to April 2018.

Marshalls combine for pay and members
Unite national officer Jerry Swain has established a combine of shop stewards and activists at building products company Marshalls with the assistance of the union’s convener Chris Haigh.

The combine held its first meeting in August, which initially discussed the details of the pay claim at the company. The combine will also play an important role in establishing a membership drive at the company.

Plumbers pension scheme future talks continue
Bernard McAulay Unite national officer has been involved in ongoing negotiations about the future of the plumbing pension scheme. There is a desire for the current scheme to be closed. However this is proving extremely challenging as it requires agreement between two separate employer’s organisations and Unite.

Unite has a series of red lines that it will not cross. Firstly, the pension income of workers who have retired must be fully protected. Secondly, there must be a replacement scheme and the value of that scheme must not be inferior to current provisions.
Unite is at the forefront of a concerted campaign to ensure international framework agreements (IFAs) that are signed between multinational construction companies and the international confederation of construction unions the Building and Woodworkers International (BWI) are properly upheld.

IFAs are important as they establish minimum standards on how the workforce is treated and the company is expected to adhere to in all countries where they operate. A standard requirement is to recognise trade unions.

Unite raised initial concerns about the use of IFAs at the BWI conference in Bangkok in 2013. This was partially a result of the blacklisting scandal as several of the companies involved including Skanska had signed an IFA.

There is a concern that multinationals sign IFAs and maintain respectable employment relations in their home nation but are still prepared to exploit and mistreat workers when operating overseas.

As a result Unite moved a motion at the 2017 BWI conference in Durban, South Africa requiring a root and branch review of the effectiveness of all the IFAs signed by the BWI.

Unite assistant general secretary Gail Cartmail said: “It is important the union relationships with employers globally and across the EU strive to set standards in respect of how the workforce is treated. For example, respecting unions as valid in one country and refusing to respect collective bargaining arrangements or worse still, not recognise a union at all in another country would be a breach of an IFA.”

Unions are currently undertaking a survey to set out how all the companies who hold an IFA are treating workers in each country.

The findings of the survey and proposals of how to develop the relationship with these multinational companies will be discussed and agreed at the BWI conference in 2019 which will be held in London.

The companies where the BWI currently has an IFA and their home nations are as follows. Germany: Hochtief, Faber Castell, Stabilo, Staedtler Sweden: Skanska, Ikea


The value of a properly observed IFA can be seen by the agreement signed between BWI and Belgian company Besix group, at the end of last year.

The agreement applies to all parts of the Besix group, its sub-contractors and its supply chain. It states that all workers receive a written contract, wages will be fair and non-discriminatory, that the requirement for taxes, pensions and social security payments to be paid.

The agreement further states that the company and its supply chain will abide by International Labour Organisation (ILO) standards. However migrant labour protections exceed ILO conventions on issues related to recruitment.

Health and safety is stressed in the agreement requiring all concerned to ensure that workers are safe, provide workers with protective equipment and adequate training to ensure competency.

The stress on migrant labour, safety and trade union rights is particularly important as the Besix group operates extensively in the gulf region including Qatar where they are building two of the 2022 World Cup stadia.
What is PPE exactly?
It is in essence equipment that will protect the user against health or safety risks at work and includes helmets, gloves, eye protection, footwear, harnesses and so on. PPE also extends to high-visibility clothing, ear protection and respiratory protective equipment (RPE), it is important to be aware that the last two are covered by more specific regulations.

What is required?
PPE needs to be properly assessed before use to make sure it is fit for purpose, regularly maintained or replaced when needed, stored properly, provided with instructions and training on how to use it safely and correctly. PPE needs to be compatible with other equipment worn; just think does using a respirator make it difficult to fit eye protection properly. A common fault experienced by wearing both together is that the eyewear mists up, so selecting equipment that defeats that is essential.

Different types of work require different types of PPE to protect the wearer. For example eye protection designed to protect against agricultural pesticides may not offer adequate protection when using an angle grinder to cut steel or stone. Another common issue is that wearing PPE may add new risks, such as hearing protection frustrating communication or blocking relevant noise such as vehicles approaching. Technology exists that will overcome these risks, and still offer the necessary protection.

So selecting the right PPE is essential
This is the employer’s responsibility, however union safety reps should be consulted so don’t be afraid to ask questions:

EYES
Hazards include chemical or metal splash, dust, projectiles, gas and vapour, radiation.

CHECK: You have been issued with the correct type: safety spectacles, goggles, face-shields, visors. Make sure the eye protection has the right combination of impact/dust/splash/molten metal eye protection for the task and fits properly. All this has to take into account the health of the user; including the need for prescription safety glasses if other safety glasses are incompatible.

HEAD
Hazards: Impact from falling or flying objects, risk of head bumping, hair, entanglement.

CHECK: Correct head gear hard hats or bump caps, are specially-designed and fitted eye or hearing protection are suitable, check for damage and request replacement, is neck protection required, such as scarves for use during welding.

BREATHING
Hazards: Dust, vapour, gas, oxygen-deficient atmospheres.

CHECK: Right type of disposable filtering face-piece or respirator, half or full-face respirators/helmets. The right type of filter for the substance exposed and particle size. Filters are replaced regularly with the correct ones. Look at HSE’s publication Respiratory.

BODY PROTECTION
Such as adverse weather, chemical or metal splash, high vis, flame retardant and so on. Feet and legs: Safety boots or shoes, penetration/chemical and oil resistant, anti-static, anti-slip, toe caps etc. Hand and arm: Gloves, gauntlets or mitts and so on, correct protection such as for certain chemicals or knives. Inner gloves if needed to prevent skin problems, barrier creams are unreliable and not a substitute for proper PPE.

The Gender PPE Gap
Not surprisingly the gender gap goes beyond pay, and involves other aspects of a woman’s world of work including provision of PPE. This fact is highlighted...
in a recent document by the TUC and affiliated unions following a survey. Of those women who took part:

- Only 29 per cent of women use PPE that is specifically designed for women
- 57 per cent said PPE sometimes or significantly hampered their work
- 41 per cent of women said the trousers provided were unsuitable
- 35 per cent of women found overalls were a poor fit generally
- Many women found that ill-fitting PPE was not suitable for the job they had to do.

The problem is that most PPE is designed for men, so finding appropriate sizes and shapes for women can be a struggle. Employers tend to use the same PPE for women as for men, often simply selecting smaller sizes. There are marked differences in body shapes of men and women, size and proportion of hips, chests, thighs, feet, face shape and so on.

What should be done? Firstly, employers should actively seek out and choose suppliers that provide a range of sizes suitable for both men and women.

Secondly, if employers still have issues over the suitability of women’s PPE, they should consult with manufacturers and suppliers to remedy any problems.

Thirdly, a good range of sizes should be provided for both women and men. Manufacturers will take steps to adjust their products to fit women more precisely as long as suppliers and employers create demand. Finally good employers will put in place mechanisms to ensure they can get feedback on the suitability of PPE. Reports can then go to safety reps, safety committees, occupational health providers. Only then can women receive the correct range of equipment and the PPE gap closed.

The Law

The main piece of legislation covering PPE is The Personal Protective Equipment at Work Regulations 1992. Although PPE is covered under separate legislation: dangerous substances asbestos, lead, radiation and noise.

Can employers charge for PPE?

An employer cannot ask for money from an employee for PPE, whether it is returnable or not. This includes agency workers, if they are legally regarded as employees. The Health and Safety at Work Act requires employers not to make a charge in respect of anything done in order to comply with any relevant statutory H&S provision, for example regulations such as those relating to PPE.

SELF EMPLOYED?

The construction sector is plagued with umbrella companies and bogus selfemployment so it is no wonder the lines are blurred as to who pays for or provides PPE.

The regulations only exempt “employees” from charges for PPE. For the self-employed the PPE regulations state that:

“Every relevant self-employed person shall ensure that he is provided with suitable personal protective equipment where he may be exposed to a risk to his health or safety while at work”.

This means genuine self-employed workers bear a heavy responsibility with regards to PPE yet establishing employment status for those caught up in bogus self-employment their entitlements and rights lack clarity.

For example, where workers are deemed self-employed, but providing themselves as labour only and under complete control of the contractor, it is almost certain they will not be responsible for providing or paying for their own PPE despite their tax status under the Construction Industry Scheme (CIS). In addition self-employed persons are entitled to health and safety protection on a clients’ premises, thus adding to the complexity of responsibilities to ensure a safe working environment including the provision of PPE.

Bogus self-employment is precarious with a ‘hire and fire’ mentality across construction that leaves operatives with limited ability to challenge unsafe working practices. That is why Unite campaigns against bogus self-employment and for direct employment. Our history tells us that whether self-employed or directly employed construction workers benefit from belonging to the collective of Unite backed by the resources to fight rogue employers.

If you have any concerns about your PPE contact your local safety rep, shop steward or regional official
ORGANISED SITES DELIVER:

1. A fair rate of pay
2. Additional pay rates for overtime
3. A safe site
4. Excellent welfare facilities
5. Shop stewards and safety reps to allow workers to raise issues and concerns

JOIN TODAY
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Would you be happy doing physically demanding manual work for as little as £5 a day? Would you be happy sleeping in a filthy caravan on the construction site where you work during the day? Would you be happy putting yourself in danger by operating machinery you have no idea how to use safely?

This is not some horror story from a country far away from 21st century Britain. This is something which is only too real for thousands of workers who are abused and exploited right here in the UK each day and every day. And it’s something we are determined to put a stop to.

The UK construction sector employs around three million people and is crucial to the country’s economy. But it also attracts the interest of organised criminal gangs, who want to profit from using people as commodities.

Our report on the nature and scale of labour exploitation across the UK earlier this year demonstrated some of the challenges we are facing. Intelligence indicates that some Irish traveller families have been involved in the exploitation of workers, especially in groundwork, paving and driveways. These workers are often also ordered by the families to clean and look after their children, alongside their other work.

But this is by no means the only way in which workers are being exploited in the construction sector.

As I mentioned earlier, safety is a serious concern. Serious injuries have occurred when workers have not been given the right training to operate machinery. Research by the Health and Safety Executive revealed that the construction industry accounts for 22 per cent of fatal injuries even though it accounts for just five per cent of the UK workforce.

Again, you will not be surprised to read that pay is a major issue. Some workers receive only £5 a day, while others are not paid at all. This is a particular problem in fencing, maintenance and bricklaying. And then there’s the deception of workers who do not understand their employment rights, particularly their self-employed status.

Together with our partners, we are cracking down on these unacceptable practices. In 2017, the GLAA was handed new police-style powers by the government. Our wider remit allows us to tackle abuses across the labour market, search and seize evidence and, investigate modern slavery in the workplace.

In the last 12 months, we have arrested more than 100 people, identified over 1,000 employees suffering direct abuse and launched nearly 200 investigations. This has been achieved with just 125 members of staff which I think makes these achievements all the more impressive.

Because of this though, we are reliant on our partnership work with the police, government, councils, charities and employers. We also need your help to spot the signs of modern slavery and labour exploitation.

To give you a guide as to what we are looking for, we have developed a number of key indicators which can be divided into six main sections: restricted freedom, behaviour, working conditions, accommodation, finances and appearance.

Restricted freedom covers everything from victims not being in possession of their passports, having no access to medical care, being subjected to threats against family members, or never speaking about normal activities outside of work – sometimes the absence of normality is a sign. They may also depend on their employer for transport or accommodation and be subject to security controls to keep them at work.

Behaviour can be something as simple as a worker being unable to speak English fluently. However, it also includes workers having a distrust of the authorities, being reluctant to reveal their immigration status, and resorting to crime for money or food. If someone appears to be fearful, anxious or never

Roger Bannister the chief executive of the GLAA is leading the charge against construction exploitation.
leaves work without their boss, this could mean they are being exploited.

Moving on to working conditions, victims may regularly work excessively long hours, have no days off, be forced to work under certain conditions and lack the ability to choose when or where they work.

If they live in sub-standard accommodation, in groups where they work, or in other degrading, unsuitable places, they may well be suffering from exploitation. Victims may also not know their home or work address, and could have been prevented from giving out their address to friends and relatives.

In terms of financial exploitation, victims may receive little or no payment, have no access to their earnings, or be disciplined through punishment and fines. They can be charged for services they do not want, be forced to open bank accounts and sign documents to receive benefits or loans.

Appearance is probably the easiest sign to spot. Has someone suffered injuries that appear to be the result of an assault? Have they suffered injuries that could be related to someone having control over them? If so, then they very well could be a victim of modern slavery.

The most important thing to take away from this article is to act if you spot any of these signs. We all have a moral and ethical responsibility to act as the abuse and exploitation will continue if you do nothing.

If you have any suspicions, speak to our intelligence team on 0800 4320804 or email intelligence@glaa.gsi.gov.uk.

Together, we can work to put an end to modern slavery and labour exploitation in the construction industry for good.
Over the past year construction sector members will have seen stories about protests at the Park Adfer energy from waste development in north Wales.

This dispute has local significance but also has major national implications for how construction is organised and is a microcosm of much of what is wrong in our industry.

Park Adfer is an £800 million pound energy from waste development being built in Deeside on behalf of the North Wales Residual Waste Treatment Project comprising of (Flintshire County Council, Isle of Anglesey County Council, Gwynedd County Council, Conwy County Borough Council and Denbighshire County Council.

As the host council, Labour-controlled Flintshire is the lead authority.

Problems emerged last year after the councils appointed US outfit Wheelabrator as the client and French-based company CNIM as the main contractor. Both companies are known for being anti-union.

CNIM subsequently announced that it would not be using the National Agreement for the Engineering Construction Industry (NAECI), the appropriate industry agreement for this form of mechanical engineering construction work, to employ workers on the project. Instead it only committed to paying the living wage of £8.75 which is an eye watering 61 per cent below the standard NAECI rate of £17.39 an hour and £2.37 an hour Incentive Bonus Arrangement for this form of work.

The refusal to adhere to the national agreements has led to a series of high profile demonstrations at the Park Adfer site and this summer there were also demonstrations at the London headquarters of Wheelabrator and CNIM.

As well as the low pay levels, concerns that further forms of exploitation are taking place at Park Adfer have increased as much of the workforce is migrant and without a union presence, and more vulnerable to sharp practices.

For example, CNIM has sub-contracted the traditional mechanical engineering section of the project to Polish outfit Mostostal Pulawy which following meetings with Unite national construction officer Bernard McAulay, confirmed that it was directed to tender for the work at national living wage rates and that all 70 workers on the project would be brought in from abroad.

McAulay said; “The rate for the job must apply regardless of where the worker is from. To fail to pay the correct rate is to deliberately exploit workers.”
What is deeply ironic is that both Mostostal Pulawy and Wheelabrator are no strangers to the NAECI agreement. Both companies are involved in the Ferrybridge power station development in Yorkshire where due to the requirements of the contract they both follow the NAECI agreement.

Unite’s campaign has fully highlighted the exploitation and ‘race to the bottom’ which is occurring at Park Adfer and the union is continuing to do everything it can politically and industrially to ensure that the NAECI agreement is properly applied to the project.

The question of who is responsible for the failure to ensure exploitation is not occurring on their project. Particularly guilty is Flintshire, as it is the council where the work is taking place, and is also supposedly a Labour council. Flintshire’s failure to act or to at least to pressurise the companies involved to do the right thing has members asking “What is the point of a Labour council?”

A sinister twist led to assistant general Secretary Gail Cartmail meeting Carwyn Jones, First Minister for Wales, where she gave examples of suspected blacklisting and overt discrimination at ‘job fairs’ against union members. Union members were told they need not apply. Others with precious skills have not heard back after submitting their CVs.

Unfortunately the problems at Park Adfer are not an isolated incident; in particular there have been further failures to apply the NACEI agreement on similar energy from waste plants around the UK. As these are ultimately built for local authorities, it seems councils are content to put of a lower price over decent pay and welfare of the workforce.

Currently national officer Bernard McAulay is in negotiations with clients and contractors on two proposed projects in Scotland to ensure that exploitation does not happen on these developments in Aberdeen and Dundee.

The other factor is that the contract was tendered on procurement rules established by the Welsh Labour Government and it has emerged that for some reason the latest procurement rules, which on the face of it are comprehensive, fail to stipulate that national industrial agreements must be adhered to. It is a matter that Unite is lobbying hard to resolve.

A local battle of significance

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The question of who is responsible for the failure to ensure workers are not being exploited is complex. Clearly both Wheelabrator and CNIM have been more than content not to apply the NAECI agreement, in order to boost their profits.

However, what is far more disappointing is that the local authorities have failed to step in to ensure exploitation is not occurring on their project. Particularly guilty is Flintshire, as it is the council where the work is taking place, and is also supposedly a Labour council. Flintshire’s failure to act or to at least to pressurise the companies involved to do the right thing has members asking “What is the point of a Labour council?”

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Unite support for national agreements

Unite is passionate about defending collective agreements and extending their reach. In an industry which is notorious for casualisation, a high turnover of work and poor treatment of workers, collective agreements, NAECI, JIB (electricians) or CJIC (civil engineering and biblical trades) among others provide some stability and ensure that workers are treated fairly.

It needs to be restated that industry agreements are not simply created by Unite, they are jointly agreed with employers. The better employers appreciate the need to have a set of rates and uniform conditions so that they can accurately plan work and it avoids the undercutting on labour rates when contractors bid for contracts.

Unite’s support for national construction agreements has been strengthened in recent years with progress made with the devolved assemblies which, at least, in part recognise the value of including the requirement for them to be followed in Scotland, Wales and Northern Ireland.

Unite has also championed the construction charter, that a growing number of local authorities have signed up to resulting in them agreeing to comply with its terms on their contracts; these charters usually state that national agreements must apply.

Park Adfer demonstrates what happens without national agreements in construction, rates would be cut, and the environment and conditions of work would substantially worsen.
Delegates at Unite’s policy conference in July attended a lively and thoughtful fringe meeting on working class miscarriages of justice, chaired by Unite assistant general secretary Gail Cartmail. The theme which ran through all the speakers was for the need to end the cover-ups and for the release of official documents that the government is currently refusing to publish.

The fringe was especially relevant for construction workers who, as the subjects of the Shrewsbury Pickets and the blacklisting scandal, have been directly affected by the issues raised.

Construction activists are also heavily involved with the Spycops saga.

The events that occurred at Orgreave and Hillsborough, while not directly construction related, exposed the actions of the police and the miscarriages of justice further reveal an ongoing theme.
of lies and cover-ups involving the police, politicians, the government and judiciary.

**Shrewsbury Pickets**

Terry Renshaw from the Shrewsbury 24 campaign was the youngest of the Shrewsbury picketers who were arrested and charged on trumped up charges following the 1973 building workers strike. Now in his early 70’s he is still campaigning for justice.

The biggest challenge for the pickers, who were “fitted up by the Heath government in collusion with MI5” is to access the government’s papers into the dispute. The papers should have become available in 2003 but were blocked then and again in 2012, currently they will not be released until 2023 at the earliest.

The picketers believe the papers will finally prove beyond doubt the government’s involvement and that the trumped up charges were politically motivated.

Last year the campaign suffered a setback when the Criminal Cases Review Commission (CCRC) refused to review their cases. The campaign is now crowdfunding to raise the £150,000 they need to organise a judicial review to overturn the CCRC’s decision.

Renshaw also welcomed Labour’s commitment in their last two manifestos to publish all the Shrewsbury papers when they enter government.

He concluded by saying: “The police work for us, not the big employers, not for the government.”

**Blacklisting**

David Smith from the Blacklist Support Group, talked about the systematic blacklisting of construction workers and said the difference between construction and other sectors was “we found our blacklist”.

Smith also talked about how it has finally been admitted that undercover police officers supplied information on workers blacklist files.

Last year hundreds of blacklisted workers received compensation from the blacklisting companies, following a long running court battle, where Unite played a leading part. However Smith reminded the audience “compensation isn’t justice.” Smith was a construction engineer who was forced out of the industry by the blacklists. He wants a public inquiry into blacklisting (which is supported by Labour) and for those responsible forced to be made accountable for their actions.

“They took food off my children’s table. I want them grilled, I want them skewered.”

**Spy Cops**

Lois Austin was spied on by undercover police officer Pete Francis and is a leading member of the Campaign Opposing Police Surveillance (COPS). The COPS campaign has exposed how the Metropolitan Police’s Special Demonstration Squad (SDS) infiltrated 1,000 mainly left wing, anti-racist, anti-fascist groups, unions and community groups. Austin described their actions as “political policing”.

The undercover police officers in the SDS formed sexual relationships with unsuspecting female activists and in some cases fathered children with them, most of the officers were married.

The COPS campaign has been successful in forcing the government to hold a public inquiry into undercover policing. However the inquiry is in disarray, running years behind schedule and has not even started to hear evidence.

The current Judge Mittings “is derailing the inquiry”. He is more concerned about the welfare and privacy of the police officers then of the activists who were abused and spied on. He is refusing to release many of the police’s cover names, which means there remain many victims who still don’t know they were spied upon.”

The COPs campaigners are clear on what needs to be achieved to secure justice:

- No secret court hearings
- Make all the files public
- The release of all the police cover names
- For a panel to sit and advise Judge Mittings or for him to resign.

Austin also wants to know who gave the orders for these actions and believes that the answer is ultimately “senior politicians”.

**Orgreave**

Chris Peace from the Orgreave Truth and Justice campaign reminded the audience that it was over 34 years since Orgreave, where the state used “military style policing” against working class people.

In total 95 miners were initially charged, the trials collapsed. Last year the home secretary refused to order a public inquiry. Peace said that one of the key issues to right past wrongs was to force the release of the police papers into Orgreave, currently these can’t be published until 2066.

Peace also called on trade unionists to make sure that what happened at Orgreave is not forgotten.

**Hillsborough**

Sheila Coleman of the Hillsborough Justice Campaign pointed out that after the tragedy in 1989 it was initially described as a football disaster and that her organisation’s campaign was determined to prove it was a miscarriage of justice.

As a result they became a threat to the state, were placed under surveillance and spied on.

Coleman said that she felt that the police force at the time believed that they could act with impunity.

She said that the next Labour Government needed to introduce systems to ensure that similar issues are dealt with swiftly and don’t fester for decades.

The fringe meeting was so successful at Unite’s own conference that it was decided that a very similar fringe meeting would be held at TUC Congress in Manchester in September, in order to ensure the message went to a wider audience.
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Trustpilot
Deaths from asbestos continue to rise, last year there were 2,595 deaths from mesothelioma, the incurable cancer of the lining of the lung caused by breathing in asbestos.

Sadly, research shows that construction workers are most at risk to exposure to asbestos especially when undertaking maintenance, refurbishment and demolition work.

Unite has recently received a letter from one of our members David Trigg the chair of the Derbyshire Asbestos Support Team (DAST) about why union legal services are superior to its rivals in ensuring asbestos victims receive justice.

This is an edited version of David’s letter “I am involved in the fight for justice for victims of asbestos diseases. As such I receive news cuttings from family, or solicitors, of victims of these terrible diseases.

“Almost all ask for former work colleagues of the victim to contact the claimant’s solicitor, and give any experiences of where the claimant could have been exposed to asbestos fibres. Upon examination it can be seen the victim based upon their, occupation, and the employer, could well have been a member of a union, possibly one that now forms Unite.

“So, what is the problem? It is that in the vast majority of these cases, the legal firms, acting on behalf of the claimants, are firms that are not union firms, they are ‘high street’ or ‘television/newspaper ad’ firms.

“Again, what is the problem? Most of these firms, also undertake work for employers, and the insurance industry.

If that is not enough to put one off using them, they can, in law, deduct up to 25 per cent of the clients compensation, as a reward for succeeding with the case.

“High street solicitors may only agree to take a claim, if a victim takes out expensive legal expense insurance to cover the cost of medical reports and other expenses.

“The premiums for these policies are thousands of pounds. However, these insurance premiums can no longer be recovered from the unsuccessful defendants. Instead high street solicitors deduct them from the victim’s compensation.

“The legal services provided by Unite are the best available to its members, and the members family, and is free with membership. Victims receive 100 per cent of all compensation.

“Unions maintain asbestos exposure databases. Memories fade and people lose touch with work colleagues. Unite’s database contains details for more than 12,000 members. Unite’s solicitors have access to this bank of potential witness information. Union solicitors have decades of experience dealing with similar claims.

“If you know somebody who, is diagnosed with an asbestos related disease, then ask them if they are, or were, at the time of any exposure to asbestos, a member of a union. If the answer is yes, tell them, to contact that union immediately. Unite has a scheme for reopening the membership of the client.

“It is also useful to point anyone you know with an asbestos disease to their nearest asbestos victims support group. Go to www.asbestosforum.org.uk to find your nearest support group. These groups are the people to go to for advice on benefits, and support for sufferers of asbestos disease, and their families.”

Spain In Our Hearts
Americans in the Spanish Civil War 1936-1939
by Adam Hochschild

The Spanish Civil War is a totemic event for the left. It was the first time a major war was fought on ideological lines and it was the first time those on the left came together, from all over the world, to fight fascism in the name of the working class.

The legitimate left-leaning republican government of Spain was toppled by a military coup and one of its soldiers, General Francisco Franco, went on to rule Spain like an authoritarian monarch until his death in 1975.

Historian Adam Hochschild looks at this most bloody of civil wars through the eyes of Americans who fought for the republican government of Spain. In so doing, he provides a wonderful introduction to this often complex and devastating conflict.

If you want to know why the British government sided with the fascists, or why US oil giant Texaco gave Franco oil on tick, or why the democracies of the world betrayed the Spanish government and in so doing gave the green light for Hitler to decimate Europe – this is a good place to start.

Looking through the eyes of those who fought, Hochschild shows us why the Spanish Civil War is both a pivotal and shameful moment in world history.

Nick West

Operation Gladios
by Paul L Williams

There is nothing that the world’s establishment would do to keep hold of their power that would really surprise me but some of the stuff in this book is enough to make your toes curl.

The title of the book comes from the operation the United States put in place throughout Italy towards the end of World War Two. This operation was born out of the fact that they were becoming increasingly worried about the possibility of Italy becoming a communist country immediately after the war concluded.

The story starts off just prior to the forming of the CIA in 1947 when it was called the OSS (Office of Strategic Services).

Once the CIA is formed various ways are put forward to try to fund the operations. Learning from the opposition to Chairman Mao in China the CIA opted to open up heroin trade routes on a massive scale emanating from Vietnam (obviously got obstructed at a later date).

They then used the logistical expertise of the Mafia (the organisation the Americans formed an alliance with while invading Sicily) to produce and distribute the finished article across the globe.

The funds from the operation were then filtered through Vatican banks and their subsidiaries without any outside interference. All of this was done beneath the radar of the US Congress.

Other operations come into play such as Operation Condor in South America and as the years go by later world events get caught up in its tentacles right up to the present day.

A must read if you want to know the kind of people that operate above governments and ultimately above democracy.

Jamie Bingham

Your Recommendations
Unite members are encouraged to send ideas for future recommendations. We will cover film, television, DVDs and books. The only stipulation is a recommendation needs to be easily available. If you would like to write your own reviews please do but keep your contributions to 250 words. Send recommendations and reviews to barckley.sumner@unitetheunion.org
MEMBERSHIP FORM GB

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Which membership do you require?

Basic full time (more than 21 hours per week)  [ ]

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Date ____________________________

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Unite fights for our members’ interests through political and industrial campaigning on issues affecting you – from pay, pensions, and broader workplace rights to housing, equality issues and our NHS. If you would like to be part of this, opt-in to our political fund for just 10p per week. (tick here) [ ]

Those who choose not to opt-in will not be disadvantaged in any way compared with members who do opt-in, except in relation to control of the political fund.

I support Unite campaigning on members’ priorities in the Labour Party and would like to be a Labour Party Affiliate Supporter* (free for political fund payers). I authorise Unite to share my personal data with the Labour Party for this purpose. * I agree to the terms listed at https://support.labour.org.uk (tick here) [ ]

Equal Opportunities

The provision of this information is to ensure equality for all and is not a requirement for employment.

Unite campaigns for equality for all and to ensure that women, black Asian ethnic minorities, disabled members, lesbian gay bisexual trans - LGBT+ and migrant workers are fully represented within the union. To find out more go to www.unitetheunion.org/equalities. Confidentiality is protected. Please complete:

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7th  [ ]  14th  [ ]  21st  [ ]  28th  [ ]

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Please pay Unite the Direct Debit monthly from the account detailed in this instruction subject to the safeguards assured by the Direct Debit Guarantee. I understand that this instruction may remain with Unite the union and, if so, details will be passed electronically to my Bank Building Society.

I authorise the payment above. I agree to abide by the union's rules. (available online). When you join Unite, you are also authorising the Union to deduct an additional amount for your subscription to your local branch fund.

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