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Sarah Elliott
BIS – Employment Relations Directorate
Bay 4107
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23/11/2009

Dear Sarah

RE: BIS Consultation on information-sharing between bodies responsible for enforcing workplace rights

Unite strongly supports these moves to improve communication and intelligence sharing between the various employment rights enforcement agencies. The proposed changes in legislation are welcome and necessary.

This has been a key aim of our campaign to improve enforcement of employment rights in the UK for some time and we are pleased that BIS now sees this as a priority.

Employment rights without enforcement are meaningless and leave many workers vulnerable to abuse by unscrupulous employers and agencies. Along with the new Employment and Work Rights Helpline these changes will help agencies make better use of the resources they have and hopefully lead to greater cooperation.

Unite can see no evidence that necessary protections will be removed under these proposals and given the extent of the enforcement problem these minor clarifications and changes are proportionate and in the public interest.

According to the TUC COVE report, 2 million people in the UK are in vulnerable employment. Since the recession began this number has almost certainly risen

sharply. Vulnerable work is insecure and low-paid and places workers at high risk of employment rights abuses. Now is the time for the government to send the message out that the impunity with which abuses have gone on are not acceptable and that a flexible job market does not mean that workers have no protection.

One group of workers that are particularly at risk are migrant workers, especially those with irregular migration status. These workers are particularly open to abuse by their employers as the threat of deportation or detention prevents them taking action to defend themselves. Unite would argue that this is a major obstacle to improving the enforcement of employment rights.

Unite believes that the business of enforcing employment rights should be decoupled from enforcing border controls and that undocumented migrant workers that come forward to report abuses are protected rather than punished for doing so.

We would also like to remind BIS that these changes alone will not be enough. They need to be linked to several other key improvements including increased resources for the various agencies, more proactive and intelligence led enforcement, a greater role for third parties such as trade unions or CABx to pursue claims for vulnerable workers, extension of the remit of the Gangmasters Licensing Authority and much better mechanisms for workers to get quick and adequate restitution or compensation for the abuses they experience.

Unite will be more than happy to continue to work with BIS on these issues in the future.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Jack Dromey', with a long horizontal flourish extending to the right.

Jack Dromey
Deputy General Secretary
Unite the Union

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