



Active Unions....  
Rebuilding Collective Prosperity

# **SCOTTISH TRADES UNION CONGRESS**

## **112<sup>TH</sup> ANNUAL CONGRESS**

# **AGENDA**

**President**

**Fiona Farmer  
President of the General Council**

**Concert Hall, Perth  
Monday 20 April – Wednesday 22 April 2009**





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#### **FINAL AGENDA**

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**THE STANDING ORDERS COMMITTEE REPORT on the order in which business of Congress shall be taken, will be forwarded direct to delegates before Congress assemblies.**

**YOU ARE REQUESTED TO NOTE that all AMENDMENTS to the Motions in the Preliminary Agenda (maximum of three amendments per organisation, individual amendments must not exceed 50 words) must reach the General Secretary, Grahame Smith, 333 Woodlands Road, Glasgow, G3 6NG, by MONDAY, 23 February 2009.**

**Please email in first instance to: [hcarson@stuc.org.uk](mailto:hcarson@stuc.org.uk)**

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## **SECTION 1**

### **GENERAL COUNCIL**

#### **1. Rebalancing the Scottish Economy**

“That this Congress believes that many of the orthodoxies on regulation and the role of the public sector, which have underpinned economic policy for far too long, were utterly exposed by the global financial crisis of 2008. The ‘financialised’ economic model, pursued with particular vigour in the US and UK, didn’t lead to greater prosperity for all: it generated moderate GDP and productivity growth, an exponential rise in income and wealth inequality and a decline in social mobility.

“Congress also believes that the crisis provides an opportunity to create a new economic architecture that reconnects a strong, flexible economy to the living standards of all. It is essential that governments at Scottish, UK and European level grasp this opportunity.

“Congress believes that manufacturing continues to offer important economic benefits in terms of exports, direct and indirect employment and investment in research. Manufacturing is also an important force for social cohesion as it is spread throughout the country, supporting communities with many middle income jobs.

“Congress calls on the Scottish Government to support growth in manufacturing employment by:

- placing manufacturing growth at the heart of Government’s vision for a growing, vibrant Scottish economy;
- acting to ensure that growing Scottish businesses have access to patient, committed long-term capital;
- working with stakeholders to design and implement a low carbon industrial strategy for Scotland;
- supporting industry through sectoral public procurement strategies; and
- investing in science, technology, engineering and maths skills including a focus on in-work training.

“Given the very substantial spillovers from investment in manufacturing R&D, Congress calls on the UK Government to provide extra assistance through R&D tax credits and to seek to establish fair international trade agreements that do not discriminate against indigenous production.”

**Mover: General Council**

### **Amendment**

At end, insert additional para:

“Congress calls for greater democracy and accountability in the economy, including more rights for working people and trade unions, an extension of popular ownership, greater democracy in ownership and control of pension and insurance funds, and more regular and robust public scrutiny and regulation of the corporations which dominate the economy.”

**Mover: GMB:Scotland**

## **2. Response to the Recession**

“That this Congress recognises that public policy is struggling to deal with the consequences of economic mismanagement in the 1980s and 1990s, in particular the disastrous labour market policies pursued over this period.

“Congress believes that the priority for Government must be to avoid adding to this legacy by targeting effective assistance at those hit hardest by the current recession. Targeting fiscal measures and public spending at the most vulnerable, targeting specific aspects of poverty, such as fuel poverty and investment in public services, will ensure that the economic impact is maximised and the economy is best placed to recover from the current downturn.

“Congress is concerned that Government and agencies are not ready to face the challenges of rising unemployment. Congress believes it is crucial that the Scottish Government ensures that its agencies understand their roles and responsibilities in engaging with those who face redundancy or are unemployed.

“Congress calls for:

- enhanced redundancy protection including raising the threshold at which tax is paid on redundancy money and an increase in statutory redundancy pay;
- a re-appraisal of proposals for welfare reform and an increase in Jobseeker's Allowance;
- a proactive plan to ensure that Partnership Action for Continuing Employment teams are ready for current challenges;
- Government at all levels to encourage employers to engage early and proactively with PACE teams, should redundancy/closure become a possibility; and
- commitment from UK and Scottish Governments to investment in skills and training; to channel public resources in a way that supports employers, unions and individuals to increase investment in skills; and to extend the right to time off for training to all those faced with redundancy.”

**Mover:                    General Council**

### **Amendment**

After 1<sup>st</sup> para, insert additional para:

“Congress believes that dogmatic adherence to the virtues of markets and inadequate regulation is at the heart of the financial crisis that caused the recession. Fundamental change is needed through policies that ensure democratic governance of the economy, decent jobs and public services, and an end to poverty and inequality”.

**Mover:                    UNISON: Scotland**

### **3. Human Trafficking and Sexual Exploitation**

“That this Congress welcomes steps the UK and Scottish Governments have taken to combat the trafficking of human beings, including the Update to the UK Action Plan on Tackling Human Trafficking (July 2008), and the ratification of the Council of Europe Convention on Action Against Trafficking in Human Beings by the end of 2008. However, Congress recognises that there is still far more to be done to address this issue, to support the victims, and to end this shameful trade.

“Congress is deeply concerned at the levels of trafficking into the UK for sexual exploitation, forced labour, or other forms of exploitation. The Home Office reports that, whilst the overall scale of human trafficking remains unclear, internal research conducted in 2003 suggested that ‘at any one time there were approximately 4,000 victims of trafficking for sexual exploitation in the UK’. Congress is alarmed at the level of trafficking of children, with the Home Office referencing research that suggests this could be between 360 and 1,000 children each year.

“Congress recognises the links between human trafficking, sexual exploitation and prostitution, and acknowledges that prostitution is violence against women. Congress calls for the criminalisation of the purchase of sex, whether in public places or private clubs and brothels throughout the UK, as a means of tackling human trafficking, exploitation and violence against women.

“Congress welcomes developments which challenge violence against women and children, including support for the White Ribbon Campaign in Scotland, the Rape Crisis ‘This Is Not An Invitation To Rape Me’ Campaign, and STUC Women’s Committee’s awareness raising.

“Congress urges the General Council to continue to tackle trafficking, sexual exploitation and violence against women and children in Scotland and across the globe, ensuring that victims are supported, traffickers are prosecuted, and those buying sex are penalised.”

**Mover: General Council**

## **Amendment**

2<sup>nd</sup> para, at end, insert additional sentence:

“Congress, therefore, welcomes moves in Scotland to confirm the legal primacy of the welfare of trafficked children”.

After 4<sup>th</sup> para, insert additional para:

“However, Congress notes that many ‘rescued’ women disappear through fear and suspicion. It, therefore, calls for their ‘reflection period’ to be increased to 90 days alongside an independent support and immigration review system”.

**Mover: UNISON:Scotland**

## **SECTION 2**

### **ECONOMY AND INDUSTRY**

#### **4. Economy**

“That this Congress is profoundly concerned by the economic turmoil which has gripped the world, bringing substantial jobs losses and insecurity to workers in the UK and damaged the reputation of the financial sector in particular.

“Congress welcomes the measures taken by the UK Government to inject capital into markets and the banking rescue package designed to contribute towards financial stability, and the protection of jobs, homes, savings and businesses.

“Congress supports Unite’s ‘Social Contract’ that, in return for taxpayers support, conditions to financial institutions, must include:

- trade union recognition in financial services;
- employment security;
- protecting and improving the terms and conditions of employees including pension arrangements;
- ending the remuneration packages of senior executives which reward short-termism and irresponsible risk taking; and
- overhauling the regulatory structures of the financial services sector to include trade union involvement to enhance accountability.

“Congress believes that support for manufacturing is vital, if the economy is to be rebalanced and to remove the over-reliance on financial services; this must include awarding contracts and targeted investment in defence, energy, construction, universities and further education institutions, transport and infrastructure.

“Congress remains concerned about the decline of Scottish manufacturing employment, which employs over 200,000 workers and is disappointed by the Scottish Government’s decision not to include the sector in its six- point economic action plan.

“Congress calls on companies and public authorities in Scotland to take advantage of the recent sharp decline in the value of Sterling and record low interest rates to promote manufacturing jobs, investment and exports.

“Congress, to achieve these aims, resolves to campaign for:

- adequate funding for the Scottish Manufacturing Advisory Service;
- targeted investment and a public procurement strategy which supports manufacturing; and
- the Unite ‘Social Contract’ to ensure job protection and accountability in the financial sector.”

**Mover:                   Unite the Union**

## **5.     Employment in Scotland**

“That this Congress is conscious of the crisis in the finance sector, which will have serious implications for the Scottish, and the Edinburgh and Lothians economies.

“It seems that mass redundancies in the finance sector are almost inevitable in 2009. Thousands of jobs will be lost and there will be no alternative employment available within the private sector for the highly skilled workers who are paid off.

“Congress calls on the Scottish Government to initiate a mass job creation programme within the public and not for profit sector. Such a programme can provide and enhance much needed social services, build affordable public housing and accelerate progress towards a sustainable economy and environment.”

**Mover:                   Edinburgh TUC**

### **Amendment**

final para, line 4, after “affordable public housing”, insert:

“, supported by a major council house building programme across Scotland,”

**Mover:                   Union of Construction, Allied Trades and Technicians**

## 6. Popular Strategy for the Financial Sector

“That this Congress:

- notes the launch, on 11th January, of the Paris Declaration, following the European Global Crisis Meeting of more than 150 representatives of trade unions, global justice groups, environmental groups, development groups, faith-based groups, youth groups and others;
- agrees with the concerns expressed in the Declaration when it states that: 'despite the evident failure of the current economic model, world leaders are responding by trying to preserve the system that is responsible for the crisis';
- identifies with its aims when it states that: 'we can build a system that works for people and the environment, to serve the needs of the many, based on the principles of public benefit, global equity, justice, environmental sustainability and democratic control'; and
- recognises that the public now owns, through the UK Government shareholdings, between 40% and 100% of Northern Rock, RBS and Lloyds TSB/HBOS.

“We, therefore, call on the UK Government to use these shareholdings to further the interests of the broad mass of the people by actively pursuing the following strategies:

- the establishment of a series of national/regional Credit Union Federations, accessible to the public via the network of branches of one (or more) of the above named institutions, which would be similar to the Credit Union Centrals of Canada and would be based on democratic member control and participation; and
- the establishment of a UK Investment Bank and national/regional equivalents through which a) public investment in public service projects could be directed, so replacing PFI/PPP, and b) strategic government investment could be channelled into the economy, for example, into wave power development and other environmental priorities.

“Congress believes that a strategy based on the above could help in delivering many of the economic priorities of our movement.”

**Mover: Dundee TUC**

## **Amendment**

2<sup>nd</sup> para, 1<sup>st</sup> bullet point, line 3

after “institutions”, insert “and the Post Office”

After final para, insert additional para:

“Congress endorses the proposals for a ‘People’s Bank’, based on the Post Office network, and calls upon the General Council to actively campaign in support of such a service.”

**Mover:                    Communication Workers’ Union**

### **7.     Highlands and Islands Enterprise**

“That this Congress, aware of the particular difficulty of economic development in Highlands and Islands (geographically and politically), congratulates Highlands and Islands Enterprise on its sustained, energetic progress towards effective economic and social development of the area, to the benefit of Scotland overall.

“Congress recognises that HIE and its precursors, the HIDB and the original Highlands and Islands Advisory Panel, all owed their existence to Labour planning initiatives from Tom Johnston’s time on, and that they have all more than justified the thinking, resources and confidence invested in them, in face of bitter Tory landed-interest opposition, determined to limit their scope, remit, powers and funding. Each increase in remit and funding has generated commensurately greater progress and confidence and, combined with decentralisation, has increasingly benefitted Highlands and Lowlands alike.

“Congress, therefore, views with great concern the recent massively deep and harmful funding cuts, which threaten a return to irresponsible past neglect, and a repeat of over six decades of struggle waged to overcome it.

“Control creep has never benefited any part of Scotland, and more, rather than less responsibility and funding for HIE, is the logical response to its remarkable turnaround of the area’s prospects.

“Congress considers HIE, with its tried, tested and internationally respected record, the best possible generator for ever-greater progress, if we are to avoid the pitfalls of wheel-reinvention, and create the traction necessary to limit current and impending economic damage, expedite post-recession recovery and boost the future prosperity of Scotland.

“Congress considers HIE uniquely committed, qualified and experienced for this vital work, and calls on the General Council to vigorously press the Scottish Government to restore and enhance HIE’s scope, remit, powers and funding accordingly.”

**Mover: Inverness & District TUC**

## **8. Campaign to Secure Steady Workloads for Remploy Factories and Other Assisted Employment**

“That this Congress welcomes the recent publication of the Office of Government Commerce (OGC) Guidance on reserved contracts for supported factories and businesses.

“Congress calls on the STUC and affiliated unions to work together in bringing to the attention of the Scottish Government the provisions of the European Legislation on reserved contracts for supported factories and businesses in the 2006 Public Contracts and Utilities Contracts Regulations on implementing, in particular, the clause which refers to contracting authorities should aim to have at least one or more contract with a supported factory or business.

“We must ensure a positive future for Remploy and other supported factories and businesses, as public procurement is a key focus to ensuring their long term success.”

**Mover: GMB: Scotland**

## **9. Disability Employment**

“That this Congress reaffirms the commitment to address the continuing problems of disabled people getting into work. Congress notes that disabled people are still more than twice as likely to be out of work, and 75% of blind people wanting to work are unemployed. Congress further notes that the economic downturn is already exacerbating this problem and is concerned that employers, when given a choice, are less likely to employ a disabled person.

Congress notes that factory-based supported employment is under increasing threat and urges all Scottish local authorities to ensure that their funding decisions and their procurement policies ensure a sustainable future for disabled people’s jobs. Congress commits to defending supported business as a haven of proper employment for disabled people.”

**Mover: Community**

## **10. Disabled Workers and the Recession**

“That this Congress recognises that no section of working people is immune from the threats to their jobs and livelihoods during the current recession.

“Congress further recognises that one of the failures of government in the previous recessions of the early 1980s and 1990s was in not providing adequate investment and support for workers who became unemployed, resulting in a massive increase in unemployment and incapacity related benefit claimants which, in turn, became a source of sickness and disability, particularly within deprived communities. Mental health problems, which are often caused or exacerbated in the workplace, are likely to increase in the current climate.

“Congress is concerned that disabled workers are at additional threat of unemployment during the current recession through being targeted for redundancy from less scrupulous employers.

“Congress is further concerned that cuts in public sector funding, and the failure to properly interpret and use the social provisions of the European Procurement Directive, will undermine sheltered workplaces, which provide much needed employment for the minority of disabled workers for whom mainstream employment is not suitable.

Congress calls for:

- a drastic rethink of the Government’s welfare reform agenda to remove conditionality for benefit claimants, and commit all available resources to support for the unemployed and for retraining programmes;
- a recognition at all levels of government that investment in public services during a recession is vital, if negative effects of workers’ health is to be avoided; and
- an increase in funding for, and the availability of, occupational health provision such that individual workers are able to access support at the earliest possible time.”

**Mover: Annual STUC Disabled Workers’ Conference**

## **11. Fair Taxation**

“That this Congress believes that it is entirely unacceptable that the poorest fifth of UK households pay more of their income in taxation than the top fifth, and that tax avoidance is a major and growing problem in the UK.

“Congress believes that the UK taxation system’s manifest unfairness must be addressed as a matter of urgency, in order to tackle persistent economic inequality.

The failure to collect a fair tax contribution from super wealthy individuals and corporations is unsustainable, if sufficient investment in public services is to be maintained.

“Congress welcomes the introduction of a new top rate of tax for high earners, but believes that more must be done to establish a fair taxation system which:

- is truly progressive, ensuring that all income taxes have progressive rates and that indirect taxes operate with exemptions to assist the poor;

- ensures that the capital gains tax regime does not offer significant tax incentives when compared to income taxes;
- includes fair and proportionate inheritance taxes;
- removes allowances only available to the wealthy; and
- applies global solutions to the problems of avoidance and evasion of corporate taxation.

Congress also calls for:

- all political parties to raise their game on taxation by starting to articulate a positive case for fair business and inheritance taxes;
- the introduction of a general anti-avoidance provision in UK law that treats all tax avoidance as unacceptable, and therefore, open to challenge;
- increased co-operation on tax internationally, to ensure companies are held to account for where and how they operate, and are required to act as good corporate citizens, including payment of their dues to society as a whole; and
- the careful evaluation of new policy instrument, such as the Scottish Government's Small Business Bonus Scheme."

**Mover: South Lanarkshire & East Kilbride TUC**

## **12. Economic Crisis**

"That this Congress considers the economic crisis as a major threat to the living standards of all working people.

"Congress considers it necessary for radical policies to be adopted immediately. These include :

- embarking on providing sustainable and affordable social housing for rent;
- taking under common ownership all banks involved in house lending, and turn their mortgages into cheap social loans and their business into social banking;
- taking under common ownership the house building companies and moving to a programme of social house building;

- setting in law the right to open the accounts of any financial firm or pension fund to inspect its investments and strategies;
- setting up an empowered independent body of people with market experience to regulate the financial markets, to be elected by an assembly of individual investors, with the new body being able to enforce penalties and sanctions;
- abolishing repossessions and replacing them with a system of converting the property involved into a loan and for it to be incorporated into socially rented housing;
- raising the threshold for personal bankruptcies from £1,500 to £10,000;
- freezing all food prices and bringing the production, distribution and sale of food under social ownership;
- calling for the raising of taxes for those earning above £40,000 a year at an agreed level, and convening a gathering of trade union representatives, small businesses and government to address tax evasion;
- cutting excise duty on petrol prices and increasing the tax on oil companies' profits;
- bringing the oil industry into common ownership; and
- bringing power and gas companies under common ownership.

“Congress welcomes this debate and calls on the STUC to organise marches, demonstrations and rallies through the appropriate unions, whenever redundancies and job cuts are announced.

“In line with the above, Congress agrees to hold a National Shop Stewards' meeting to be held within two months.”

**Mover: Cumbernauld & Kilsyth TUC**

### **13. Deepening Economic Crisis**

“That this Congress notes the wide support for the Communities Conference organised last September by the STUC, in pursuance of the motion passed in 2008, and also the positive outcome in terms of joint lobbying on public sector housing and other issues. Congress also notes the active response to similar initiatives at local level by Trades Union Councils.

“Congress believes that the deepening economic crisis demands a further strengthening of links between the trade union movement and community and campaigning organisations at local and Scottish level. The crisis is producing a rapid increase in unemployment, particularly among casual workers, part-timers and often non-unionised workers in the service sector and, at the same time, increasing existing problems of repossession and eviction. In terms of developing support for organised workers in manufacturing and public services, who are also under serious threat, Congress believes that it is important general local campaigns are developed against unemployment and for investment in infrastructure, housing and services addressing social need.

“Congress, therefore, instructs the General Council to continue existing community initiatives with similar annual community Conferences, to work with affiliates to strengthen the membership of local Trades Union Councils and to help ensure the best local coordination of affiliates’ organising agendas.

“Congress also instructs the General Council to explore with the Scottish Government support for Unemployed and Community Resource Centres in those communities worst hit by unemployment and poverty.”

**Mover: Clydebank TUC**

### **Amendment**

2<sup>nd</sup> para, after 2<sup>nd</sup> sentence, insert additional sentence:

“Congress is deeply concerned at the dangers of polarisation within the workforce, where economic hardship may breed racism and prejudice against Black and minority ethnic workers”.

3<sup>rd</sup> para, at end, insert additional sentence:

“Congress reiterates the STUC’s commitment to opposing racism, and calls for social and economic policies that are inclusive and challenge racism and xenophobia”.

**Mover: Annual STUC Black Workers’ Conference**

## 14. Energy

“That this Congress commends the STUC’s submission to the Scottish Government on Energy, and particularly for drawing attention to the three key energy policy challenges of security of supply, climate change and affordability being effectively met to enable delivery of the Scottish Government’s economic and social agenda. These challenges will become ever more demanding as the economic downturn continues.

“Congress believes that the Scottish Government’s ideological energy policy will leave Scotland at real risk of power cuts; becoming reliant on energy imports; trailing behind in terms of inward investment and increasing the number of those suffering fuel poverty.

“Large scale generation capacity is needed to avoid such an outcome, and action is needed now to ensure that replacement capacity is available when existing power stations close. Congress notes that, whilst energy policy is a reserved matter, the Scottish Government can effectively block new large scale power plant proposals.

“Congress believes that huge opportunities exist to harness Scotland’s indigenous resources such as tidal, wave, wind and coal, and that, pursuing the exploitation of these from research and development to delivery, will lead to high quality jobs, investment and a reinforcement of Scotland’s reputation as an innovative engineering nation.

“Congress continues to advocate a balanced energy strategy that is based on a diversity of fuel sources, to enable a secure supply of energy that is affordable and contributes towards emission reduction.

“Congress instructs the General Council to continue to directly challenge the Scottish Government on its ideological approach to energy policy in conjunction with others with similar views, including the UK Government.”

**Mover: Prospect**

## **Amendment**

After 5<sup>th</sup> para, insert additional para:

“Congress believes that to realise the opportunities of a balanced strategy, it is vital to develop a comprehensive skills strategy with the necessary investment, to ensure Scotland addresses skills gaps and shortages in the energy sector, and to equip future generations with the required skill levels”.

**Mover:                   Unite the Union**

## **15. Nuclear Rebuild**

“That this Congress demands that any Rebuild Programme within the UK, which will be labour intensive, must ensure that UK labour have an equitable share of the employment, with the potential of thousands of jobs on site within the small to medium sized contractors within the manufacturing base.

“The present merger between British Energy and the French giants EDF stipulate material and labour will come from France.

This is a major body blow to a very much decimated manufacturing sector.”

**Mover:                   GMB:Scotland**

## **16. Energy**

“That this Congress notes with concern the recent dispute between Russia and the Ukraine over gas supplies and the effect on European supplies. It is more evident than ever that the UK must have investment in safe and secure energy supplies.

“Congress once again calls on both the UK and Scottish Governments to develop an integrated energy policy, supporting use of clean coal, nuclear, gas and renewables, in order to ensure we change from a reliance on imported fuel sources.

“In the case of coal, at times 40% of our electricity is generated from the UK and up to 60% of this coal is imported, sometimes from unreliable sources and to the detriment of our balance of payments. The fact is that there are millions of tonnes of known and workable reserves of coal in the UK, which could replace imported coal.

“Therefore, we call on both the UK and Scottish Governments to assist and encourage increasing indigenous coal production.”

**Mover: National Union of Mineworkers: Scotland Area**

## **17. Tackling the Closure of Dounreay**

“That this Congress notes that the Thurso and Wick TUC applauds the creation of the Caithness and North Sutherland Regeneration Partnership, which brings together the key economic agencies of the Far North to tackle the closure of Dounreay.

“We are concerned, at this time of economic transition, that the remit of Highlands & Islands Enterprise and the Highland Council have undergone significant change.

“Congress resolves to actively pursue this issue with Scottish Government, to ensure that there is no reduction in the resources required to support the regeneration process.”

**Mover: Thurso & Wick TUC**

## **18. Forestry Commission**

“That this Congress notes the Scottish Government’s proposals to lease to the private sector up to 25 per cent of the Forestry Commission estate in Scotland.

“Congress welcomes the Government’s targets on climate change, but rejects the proposal to lease out publicly owned forestry to help pay for climate change measures.

“Congress also rejects the Government’s ill thought out proposals for creating a not for profit trust, when a democratically accountable body already exists.

“Congress believes that the Forestry Commission does have a role to play in combatting climate change, but not as a so-called ‘source of capital release’, but for carbon offset, replacement and storage.

“The present proposals will have a negative effect on access to woodland, on the supply of timber to downstream industries, and on land ownership and control in Scotland.

“Congress believes that there should be more common ownership and control of land in Scotland not less, and that the Forestry Commission and its estates should be expanded not contracted.

“Congress welcomes the campaign led by the Forestry Commission trade unions to stop this privatisation, and pledges the support of the entire trade union movement in mobilising public opinion against the Scottish Government’s plans and for sustainable, socialistic alternatives.”

**Mover: GMB:Scotland**

### **Amendment**

5<sup>th</sup> para, at end, insert additional sentence:

“Congress believes that guarantees to staff of no compulsory redundancies’ protection under TUPE regulations are significantly devalued by the leasing proposal. Many jobs are in isolated, rural locations and lessons should be learned from the disastrous effects of forest privatisation in New Zealand and Sweden”.

**Mover: Public & Commercial Services Union**

## **19. Royal Mail**

“That this Congress notes the publication of the Hooper report on the future of Royal Mail.

“Congress welcomes the Report’s conclusion that the current universal service obligation provided by Royal Mail must be protected, and that the primary duty of the Regulator should be to maintain it; further welcomes the recommendation that the Government should take responsibility for the pensions’ deficit; endorses the call for a new relationship between management and postal unions; and welcomes the CWU’s commitment to negotiate an agreement to deliver modernisation of the industry.

“Congress notes with concern that in 2007 the Government agreed a £1.2bn debt facility on commercial terms to modernise Royal Mail, but by March 2008, Royal Mail had spent only around one third of what it intended to spend in its original modernisation plan.

“Congress rejects the key recommendation of the Hooper Report to sell a minority stake in Royal Mail, which threatens the future of the UK’s national, integrated, postal network and universal service. This threatens collections and deliveries at an affordable tariff, an important dimension for Scotland, where many rural and remote communities are dependent on reliable postal services.

“Congress opposes the continued cutback of the Post Office branch network and the franchising of Crown offices.

“Scottish communities have suffered significantly from the closure of Post Office branches, which impact severely on vulnerable rural and urban deprived areas. Congress calls on the Government to revitalise the Post Office network as a ‘shop front’ for government and mail services and create a People’s Bank to provide a comprehensive range of financial services.

“Congress notes the Government is currently advertising for a new Chairman of Royal Mail and urges the Secretary of State to appoint a Chair and management team, who are committed to the principles of a modern public enterprise.”

**Mover:                      Communication Workers’ Union**

## **20. Campaign Against Privatisation of the Royal Mail**

“That this Congress calls upon the STUC to campaign against any privatisation of Royal Mail in part or whole.

“Royal Mail needs investment to safeguard the people’s mail service, which employs 130,000 workers in a National British Institute, which is owned by the Government.

“Royal Mail, commonly known as the Post Office, is seen as the most trusted establishment to handle and deliver the people’s mail. Royal Mail Group includes Postal Workers, Parcelforce and Logistics and works day and night to deliver to every household in the country daily.

“Royal Mail belongs to the public and must remain the people’s mail service. Congress resolves to campaign to tell the Labour Government, the MAIL is not for SALE.”

**Mover: North Lanarkshire TUC**

## **21. Scottish Broadcasting Commission**

“That this Congress notes that broadcasting is an important and discrete part of the wider Scottish Economy. Broadcasting and the making of programmes in Scotland have been hampered by broadcasting decision-makers, commissioners and financial controllers all being based in London.

“Congress recognises the potential employment opportunities the broadcasting industry offers in a range of skills and, therefore, welcomes the Scottish Broadcasting Commission’s report and its core recommendation that a new Scottish digital network should be established to encourage greater output from Scotland and more employment opportunities in Scotland.

“Congress calls on the STUC to enter into a dialogue with politicians, regulators and broadcasters to maximise the economic benefit of broadcasting to Scotland and to campaign and lobby for the implementation of the recommendations of the SBC as soon as possible.”

**Mover: Equity**

## **22. Crisis Facing Scotland's Newspapers**

“That this Congress is deeply concerned at the crisis facing Scotland's newspapers. It instructs the General Council to support trade union members taking action against redundancy. It further instructs the General Council to campaign for the setting up of a Scottish Government Commission to consider measures to halt the decline of quality journalism in Scotland.”

**Mover: National Union of Journalists**

## **23. Newspaper Industry in Scotland**

“That this Congress is deeply concerned at the crisis facing Scotland's newspapers.

“Congress calls on the General Council to support trade unions and their members taking action against redundancy. It further calls on the General Council to campaign for the setting up of a Scottish Government Commission to consider measures to halt the decline of quality journalism in Scotland.”

**Mover: Edinburgh TUC**

## **24. BBC Redundancies**

“That this Congress notes with concern the ongoing redundancies in BBC Scotland, which are fundamentally dismantling its ability to make high quality, public service programmes. These cuts leave the BBC in Scotland unable to create, bid for, or produce new programmes in Scotland. They are contributing to a massive skills' drain from Scotland and are steadily moving BBC Scotland towards the status of a UK regional news provider.

“Equally, it will be unable to staff or produce the substantial increase in programming promised by the BBC's Director General in the coming years, and it will have to rely heavily on a low wage, long hours, casualised, workforce culture, which its unnecessary redundancies will have created.

“Congress, therefore, calls upon the STUC to condemn the redundancies and to campaign for an urgent Scottish Parliament investigation on the management of BBC Scotland, with a view to defending quality Scottish programmes, and the permanent jobs needed to deliver these, in line with the recommendations of the Scottish Broadcasting Commission.”

**Mover: Broadcasting, Entertainment, Cinematograph & Theatre Union**

## **25. Negative Media Representation of Black Workers**

“That this Congress expresses concerns about negative stereotypes of Black workers in the media.

“Media representations of Black people - namely asylum seekers, refugees and Black communities - usually present them as scapegoats. There is a danger that this tendency will only get worse as the economic downturn deepens.

“Negative images of Black workers can result in tension and prejudice, which impacts detrimentally upon Black people. The significant contributions made by Black workers to wider society, and the progress and achievements towards equality and empowerment of Black workers, are not highlighted as much as they could be. Whilst President Obama’s victory is a beacon to us, it is important to see more positive images of Black people.

“The current equality legislation sets out a positive framework, which should challenge all stakeholders towards compliance with legislation. Stakeholders have a key role in evaluating their own roles in furthering the equality agenda in Scotland.

“Congress urges trade unions to continue to develop positive dialogue with the media, and to monitor the role of the media around issues affecting Black workers and communities.

To achieve this goal, Congress:

- encourages the STUC General Council and affiliates to develop a media strategy, which incorporates issues affecting Black workers in Scotland;
- urges trade unions to engage with representatives of the media, and in particular to support Black workers within the media;

- requests print and broadcast media to have a positive working relationship with Black workers' groups and organisations;
- urges the General Council and affiliates to challenge media bias through legal means and media regulators; and
- urges all Black workers to engage in dialogue that furthers equality goals and provides positive images of the contributions made by Black workers to the economy and culture of Scotland.”

**Mover: Annual STUC Black Workers' Conference**

## **26. Drama Training**

“That this Congress notes that Scotland has a consistent record of achievement in producing world class, talented actors. Currently, due to changes in the Higher Education sector, Scotland may be about to lose one of its two accredited ‘gold standard’ drama courses.

“Congress calls on the STUC to lobby the Scottish Funding Council and the Scottish Government to ensure that Scotland continues to have two accredited ‘gold standard’ conservatoire drama courses, to ensure future students continue to have the choice of courses and the opportunity to reach their potential without having to leave Scotland and train elsewhere.”

**Mover: Equity**

## **27. Commitment to the Performing Arts**

“That this Congress calls on the Scottish Government to renew its commitment to the performing arts at this time of economic uncertainty and financial constraint, and to confirm the role of the performing arts at the centre of Scottish life and culture.”

**Mover: Musicians' Union**

## **SECTION 3**

### **EDUCATION, SKILLS AND LIFELONG LEARNING**

#### **28. The Role of Education in Combatting Recession**

“That this Congress notes with concern the current recession in the UK economy and the increasing levels of unemployment in Scotland.

“Congress believes that the public sector (both national and local) has a significant role to play in leading the economy out of the recession by expanding public expenditure, creating employment opportunities and, therefore, reducing the potential for high levels of unemployment in the months and years to come.

“Congress calls on the Scottish Government and the Scottish Local Authorities to move away from damaging cuts to public services and instead to invest in new capital projects and employment and training opportunities within the Scottish public sector.

“In particular Congress instructs the General Council to campaign for increased spending on:

- (a) rebuilding and refurbishing the schools’ estate;
- (b) reducing class sizes in all sectors;
- (c) employing more newly qualified teachers and other key education personnel; and
- (d) enhancing opportunities for participation in vocational education and training.”

**Mover: Educational Institute of Scotland**

#### **29. Apprenticeships**

“That this Congress notes that traditional craft based apprenticeships are the most effective form of training for many young workers in Scotland.

“Congress welcomes and fully supports the ethos of John Park MSP’s consultation to progress a Bill in the Scottish Parliament that will make an apprenticeship a right for young workers.

“Congress welcomes the UK Government’s stance that Programme Led Apprenticeships in the construction industry are not an adequate alternative to traditional craft-based apprenticeships with identifiable employer relationships with an apprentice.

“Congress further notes that various strands of government have a key role in ensuring the provision of craft apprenticeship numbers are maintained through public sector contracts. Layers of government, with a responsibility for procurement, must be proactive in ensuring high quality training across many industrial sectors.

“Congress is aware that Section 106 Agreements in England allow local council contracts to stipulate certain provision for local areas and the environment and would, therefore, support similar agreements to be developed across Scottish local authorities.

“Congress, therefore, calls upon the General Council to campaign for:

- government contracts to include clauses that require successful construction contractors to provide apprenticeships;
- Local Authorities, Local Economic Regeneration and Development Companies, Health Trusts, and Housing Associations to provide clauses for apprenticeships when awarding contracts; and
- pressure to be maintained with the Scottish Government to maintain employer led traditional craft-based apprenticeships.”

**Mover: Union of Construction, Allied Trades & Technicians**

## **Amendment**

After 2<sup>nd</sup> para, insert additional para:

“Congress fundamentally disagrees with organisations that dismiss apprenticeships as not being of vital significance to the future of Scotland’s economy. Apprentices will be critical to Scotland’s ability to deliver a range of projects from the Royal Navy aircraft contract on the Clyde and Rosyth to the 2014 Glasgow Commonwealth Games”.

**Mover:                    Unite the Union**

### **30. Environmental Skills**

“That this Congress welcomes the high priority given by the Scottish Government to skills development and its support for union learning initiatives, including Scottish Union Learning. Union Learning Representatives play a key role in supporting members’ access to higher skills, as well as opportunities for reskilling.

“Congress believes that science and technology have a crucial role to play in identifying high quality and sustainable investment opportunities that would help to lead the economy out of recession. Therefore, investment in skills to underpin new and green industries will be even more important in 2009.

“However, development of Science, Technology, Engineering and Mathematics (STEM) skills is a long-term challenge and action is needed now to attract the future skilled workforce that will enhance Scotland’s economic position.

“Congress, therefore, welcomes the initiative by Prospect and the British Geological Survey, working with Sector Skills Councils, UK Skills and STEMNET, to develop an environmental science competition for World Skills 2011. This will involve teams of young people designing a sustainable energy plan for a purpose-designed island for the next 30 years. The competition will raise awareness of STEM careers and harness the enthusiasm of young people.

“Congress welcomes the support of the Scottish Government in launching this competition in September 2008, and it instructs the General Council to work with unions and employers to proactively promote and support this initiative.”

**Mover: Prospect**

### **31. The Learning Agenda**

“That this Congress welcomes Scottish Government support for the learning agenda across the trade union movement in Scotland. In particular, Congress welcomes the continuing role of the Scottish Union Learning Fund in supporting projects designed to take forward the learning agenda among trade unions.

“Congress also welcomes the support shown for Union Learning Representatives in informing, supporting and advising trade union members of the availability of learning and professional development opportunities.

“Congress calls on Government to continue to support through appropriate funding:

- projects proposed by trade unions to support a broad range of learning and professional development at all levels among trade union members; and
- an expansion in the learning opportunities of trade union representatives, involving constructive engagement with employers.

“Congress also calls on employers, including local authority employers, to give a full commitment to the learning agenda for trade union members, including the granting of appropriate time off for Union Learning Representatives to carry out their duties.”

**Mover: Educational Institute of Scotland**

## **32. Future Delivery of Workplace Learning**

“That this Congress notes the success of the Scottish Union Learning Fund since its creation by the Scottish Executive in August 2000, and the role of Union Learning Representatives (ULRs) in achieving its aim of 'encouraging workplace learning in its widest sense'.

“Congress recognises that, during the last evaluation period of 2000 to 2005, there were five rounds which funded 54 projects, involving 23 unions and amounting to £3.3m, and acknowledges the evaluation commissioned by the Analytical Services Division and the Enterprise, Transport and Lifelong Learning Department, which states that ‘unions are using SULF for its intended purpose: to deliver workplace learning that is in addition to that which already exists, which has both revealed and stimulated a so far unappreciated large demand for workplace learning, and in many cases has effected a learning culture change amongst employees, who previously would not have considered, let alone been involved in learning’.

“Congress congratulates the STUC on having the foresight to bid for European Social Fund (ESF) funding and calls on the Scottish Government to ensure the continued ability of trade unions to deliver lifelong learning in the workplace, by legislating to create sustainable funds for both SULF and the delivery of workplace learning, which would be safeguarded by the use of learning agreements between trade unions and employers, as well as the establishment of strategy groups in the workplace, consisting of trade unions, employers and learning providers.”

**Mover:                    Associated Society of Locomotive Engineers  
& Firemen**

### **Amendment**

Final para, line 5, insert after “the delivery of workplace learning,”:

“in recognition of funding concerns, as the current round of ESF ends in 2013, with the likelihood of reduced financial support for union learning”.

After final para, insert additional para:

“Congress also resolves to campaign for improved legal rights for ULRs and a compulsory levy, which would assist in businesses committing essential resources for training.”

**Mover:                   Unite the Union**

### **33. Future of Higher Education**

“That this Congress notes UCU Scotland’s October 2008 Conference ‘Intellect and Democracy’. It endorses the call for a democratic, evidence-led discussion about the future of Scottish higher education. The Scottish Government’s 2008 ‘Future Thinking Taskforce’ was far too narrow a body for its self-announced remit to envision the shape of the universities in 2028.

“Congress supports Scottish Government in abolishing up-front student fees, but is concerned at its failure to produce proposals adequately to increase public funding for Scottish universities, as they face increasing competition from fee-funded universities in England.

“Congress is further concerned at the threats to academic freedom both in the Taskforce proposal to make some public funding conditional on universities’ commitment to government policy, and in the overtly pro-business agenda of some university managements.

“Universities’ defining role as centres for advancing knowledge and promoting personal intellectual development depends on academic freedom. Congress notes that recognition of this is central, if they are to maintain and enhance their increasingly vital contribution to Scotland’s economic development, its technological innovativeness, and its evidential base for public policy.

“Congress is further concerned at the failure of most universities to move urgently towards ending the systematic use of short-term contracts for research staff; at growing salary differentials; and at the failure to address the needs of low-paid staff.

“Congress instructs General Council to work with the campus unions to:

- promote public understanding of the nature and purpose of university research and education;
- press the Scottish Government to commit adequate resource to enable an inquiry into the future of Scottish universities, established in consultation with the trade unions, to report before the next Scottish elections; and
- build the most effective possible campaign for increased public resource for higher education.”

**Mover: University & College Union (Scotland)**

### **34. Chartered Teachers**

“That this Congress notes that a Chartered Teacher scheme currently operates in Scotland, and welcomes the opportunity for experienced teachers to be recognised and rewarded financially for their skills, whilst allowing them to remain teaching in the classroom.

“Congress believes, however, that the present Chartered Teacher scheme creates a barrier to Scottish teachers accessing a higher salary, due to the unreasonable demands on both personal time and finances.

“Congress supports a campaign for a further review of the scheme, to include:

- (i) the abolition of fees for participation in it;
- (ii) a reduction in the workload burden associated with it;
- (iii) an effort to address inequality of access; and
- (iv) parity of access to higher pay for classroom teachers in Scotland, as can be obtained by their colleagues in England and Wales.”

**Mover: NASUWT**

## **Amendment**

Delete all after 1<sup>st</sup> para, and replace with:

“Congress believes that the present Chartered Teacher Scheme contains certain barriers to access, including fees and demands on time. Congress urges all the parties to the Scottish Negotiating Committee for Teachers to renew their commitment to the Chartered Teacher Scheme and to explore ways of increasing teacher participation.”

**Mover:                    Educational Institute of Scotland**

## **SECTION 4**

### **TRANSPORT**

#### **35. Regulation of Transport**

“That this Congress calls upon the Scottish Government to exercise its powers under the Scotland Transport Act to introduce Quality Contracts where attempts by local authorities to form Quality Partnerships with bus operators have failed. Congress supports the Regulation of Bus Services Bill, launched by Charlie Gordon MSP, which aims to:

- facilitate Quality Partnerships and Quality Contracts by simplifying the procedures whereby transport authorities specify bus services and standards;
- address the inadequacy of some bus services;
- protect the conditions of bus workers affected by the competitive tendering process through an agreed Protocol; and
- enhance the role of local authorities and community groups in the operation of bus services.

“Congress believes the Bill would assist in the regulation of fares, frequency of service, vehicle standards, the employment conditions of transport workers and a reduction in emissions, by encouraging an increase in bus usage.

“Congress deplores the fact that too many transport workers continue to experience low pay, long working hours and poor standards of health, safety and welfare facilities.

“Congress supports the campaign for minimum standards for transport workers, in particular, for:

- an end to opt-outs and the abuse of Periods of Availability in the working time legislation applicable to transport workers;
- final salary pension provision, increased access to training and learning, and increased pay;
- a review of Criminal Injuries Compensation, the extension of Scotland’s laws on protection of public and emergency workers to include transport workers, and a legal obligation on employers to agree and implement with trade unions measures that tackle violence against transport workers;

- an agreed protocol on disclosure checks for transport workers inclusive of proper and fair appeal procedures; and
- the inclusion of the provision of secure and adequate parking and welfare facilities for transport workers.”

**Mover:                   Unite the Union**

### **36. Transport**

“That this Congress reiterates its support for renationalisation of the railways. Congress believes the privatisation of railways has put profit before people, and condemns the fact that the First Scotrail franchise has taken over £30 million in profits since the beginning of the franchise.

“Congress, therefore, cautiously welcomes the invitation from the Scottish Government to work with the trade unions to establish Not for Profit passenger rail services, when the current franchise ends in 2014.

“Congress reiterates its belief that tackling climate change needs to be a central objective of transport policy, and welcomes the fact that the opening of the Alloa station demonstrates that people wish to have a real alternative to car travel. More than 400,000 passengers used the station in its first year compared to an initial prediction of 155,000.

“Congress also notes the report from Campaign for Better Transport, which found that, if rail fares were reduced to a level similar to those in Europe, there would be a 17% increase in rail travel and carbon emissions would fall by 13% by 2025. Congress, therefore, continues to lobby for expansion of the railways and cheaper rail fares.

“Congress reiterates its belief that all Scottish Ferries must be operated in the public sector and seafarers must receive the full protection of the Race Relations Act and National Minimum wage.

“In this respect, Congress welcomes the strong support received from the STUC in lobbying the Westminster Government and MPs to improve employment rights for seafarers, and agrees to continue to vigorously campaign for this policy.

“Finally, Congress expresses concern that there remains to be satisfactory conclusion to review of seafarers' earnings deduction in the offshore oil and gas industry, and agrees to fully support maritime affiliates in their campaign on this issue.”

**Mover: National Union of Rail, Maritime & Transport Workers**

### **37. Rail Transport**

“That this Congress supports the construction of a publicly-funded and publicly-accountable high speed rail link between Scotland and the existing Channel Tunnel rail link via London.

“Congress believes that this construction would bring considerable social and environmental benefits to the country by:

- increasing job opportunities;
- reducing our carbon footprint; and
- freeing capacity for additional freight on existing rail lines.

“Congress calls on the STUC to continue to press the Scottish and Westminster Governments to recognise the case for high speed rail links and the need for investment in this essential rail development. Congress also calls for an affordable fares structure to ensure that the benefits of high speed rail links are not the preserve of the few.

“Congress is appalled by the average increase of 6% in rail fare increases introduced by First Scotrail in January 2009 during a major economic downturn. Congress believes that, in its rush to extend the Scotrail franchise in 2008, the Scottish Government neglected to protect the interests of rail passengers across Scotland. Congress calls on the STUC to continue to advertise the contribution that affordable rail fares can make to encouraging people to get out of their cars and into public transport.

“Congress further calls on the STUC to seek to ensure that future rail fare increases in Scotland require the prior approval of the Scottish Government.”

**Mover: Transport Salaried Staffs' Association**

### **38. Railways in the Recession**

“That this Congress recognises, and has previously asserted, that privatisation has been a disaster for the railways and travelling public, and condemns the SNP Government’s profoundly undemocratic decision to extend the Scotrail franchise by three years without consulting trade unions in 2008, or other stakeholders.

“While welcoming Government commitments to mitigate the effects of the recession by bringing forward capital works and infrastructure development projects, Congress notes with concern the outlook for the rail industry in the current economic climate, with increasing unemployment, deepening recession and a decrease in passenger numbers likely to result in significant cuts in rail services, as well as a dramatic fall in revenues for the train operating companies (ToCs), with the result that many will seek to renegotiate their franchises.

“Congress is further alarmed at the projections for the rail freight sector, with major downturns in steel and car manufacturing, Network Rail’s 50% reduction in maintenance and renewals to deliver short term efficiency savings and less than anticipated levels of Olympic traffic, all resulting in job losses.

“Congress calls on the General Council to:

- urge the Government to resist the attempts of train operating companies like FirstGroup to renegotiate their franchises in the face of financial difficulties and cut services, and instead bring these franchises back into public ownership to be run on a not-for-profit basis, with profits reinvested in the network’s infrastructure; and
- urge the Government to pressurise Network Rail to undertake the necessary track maintenance and renewal work, not only to assist the rail freight industry and deliver the Government’s own counter recessionary capital works proposals, but to ensure the overall health and safety of the network for staff and travelling public alike.”

**Mover:**                      **Associated Society of Locomotive Engineers & Firemen**

### **39. Scottish Ferry Services**

“That this Congress notes the EU Commission’s decision to investigate the subsidies paid to Scotland’s ferry services.

“Congress further notes that the result of this review is likely to be published later this year. In addition, a further review of ferry services has also been announced by the Scottish Government with the aim of establishing ‘a long-term strategy for lifeline services to 2025’.

“Congress recognises the work already undertaken by the STUC in ensuring that Scotland’s lifeline ferry services remain in the public sector, with services operated on the basis of safety and quality, by highly skilled seafarers employed on terms and conditions appropriate to Scotland.

“In view of these latest reviews, Congress restates its commitment to safe, efficient, publicly owned lifeline ferry services. Congress, therefore, calls on the STUC to use the latest review by the Scottish Government to campaign vigorously for this and to work with other groups, including Consumer groups, who share our interest in a safe, efficient service operated by seafarers trained to the highest possible standards, with any attempts to discriminate on the basis of nationality rigorously opposed.”

**Mover: Nautilus UK**

### **40. Seafarers’ Earnings Deduction**

“That this Congress records its deep concern over HM Revenue & Customs’ attempts to further restrict eligibility to the Seafarers’ Earnings Deduction (SED) income tax concessions. Recalling that SED was introduced by the Government in 1991 to help maintain a strategic pool of British seafarers, Congress is disturbed at the way in which HMRC has repeatedly sought to limit the scope of its application. Congress notes with particular concern the potential damage that proposed new restrictions may cause to employment within the North Sea offshore sector, as well as the potential detrimental impact on the employment and training of British seafarers, and the adverse personal impact on many seafarers who may lose such entitlements.

“It, therefore, urges the STUC to support the seafaring unions in campaign efforts to:

- protect the SED rules from further attacks by HMRC; and
- ensure that the scheme is amended by the Government to meet its original aim of encouraging the recruitment of all British seafarers, irrespective of the sector of the shipping industry in which they serve.”

**Mover: Nautilus UK**

#### **41. Elgin Bypass and Upgrading of the A96**

“That this Congress calls on the Scottish Government to make the upgrading of the A96 and, in particular, an Elgin bypass, a top priority, in order to boost the economy and maintain and increase job opportunities in Moray.”

**Mover: Moray TUC**

#### **42. Support for Transport and Distribution Workers**

“That this Congress calls on the General Council to put pressure on Government to support Transport and Distribution workers in Scotland; this can be done in the following ways:

- VAT should be greatly reduced for all commercial vehicle users registered in Scotland. In seeking this, it is accepted that changes will need to be made to European legislation for changes to VAT to be implemented.
- In order to make competition a little more equitable, non-UK registered Large Goods Vehicles should only be allowed to enter the UK with a factory-fitted main fuel tank. There has to be parity in the tax regime in order to have a ‘level playing field’.”

**Mover: United Road Transport Union**

### **43. Unfair Levels of Competition from non-UK Registered Large Goods Vehicles**

“That this Congress calls on the General Council to put pressure on the Scottish Parliament to monitor the unfair levels of competition from non-UK registered Large Goods Vehicles who are operating in Scotland and, if necessary, to set up an action group to find ways of limiting those operations where they are having an adverse effect on the transport and distribution industry and all associated employment in Scotland.

“This might include consideration of incorporating tolls on roads for such vehicles. In considering this course of action, it is accepted that changes would need to be made to both European and UK law.”

**Mover: United Road Transport Union**

## **SECTION 5**

### **CIVIL AND PUBLIC SERVICES**

#### **44. Public Services**

“That this Congress recognises the important role quality public services play in building a fairer society in Scotland based on the principles of democracy, fairness, partnership, investment and excellence. Congress believes that in difficult economic circumstances, it is even more important that public services are able to contribute to social prosperity and add value to the Scottish economy.

“Congress is, however, concerned that certain aspects of public policy might damage services including:

- the 2008/09 and planned 2009/10 Budget settlement that has put real pressure on the ability of many public service organisations to maintain effective public services;
- the increasing reliance on so called efficiency savings to balance the books;
- confusion over the role of the local government Concordat and Single Outcome Agreements;
- the discredited use of Public Private Partnerships, including the Scottish Futures Trust;
- the development of shared services based on overly optimistic outcomes and savings without a coherent strategy that recognises the service quality and staffing implications;
- the continued pressure on services and staff in the community and voluntary sector through second stage tendering and the absence of full cost recovery;
- insufficient recognition of the importance of equality, including full implementation of the statutory equality duties and the use of procurement strategies to address poverty through a living wage; and
- the failure to fully implement Scottish Government two-tier workforce guidance in light of the increased use of outsourcing in local government.

Congress, therefore, calls upon the General Council to engage with the Scottish Government and others to ensure that public services are properly funded and developed to support the Scottish economy in challenging economic circumstances.”

**Mover: UNISON:Scotland**

### **Amendment**

2<sup>nd</sup> para, 7<sup>th</sup> bullet point, add after “statutory equality duties”:

“, including equal pay for work of equal value”

**Mover: GMB:Scotland**

### **45. Cuts in Public Services**

“That this Congress condemns the cuts in public services which have arisen as a consequence of the 2007 Comprehensive Spending Review and have affected both the Scottish Government and Local Authorities within the public sector. Congress believes that these budget cuts will have a damaging impact on all public services including:

- (i) job losses and compulsory redundancies;
- (ii) the erosion of employment opportunities;
- (iii) cuts in staffing standards;
- (iv) reductions in core funding for key public services; and
- (v) diminution in quality service provision.

“Congress notes with concern that cuts in expenditure are being planned by Scotland’s local authorities under the guise of efficiency savings. These cuts are having a damaging impact on a range of local government services, including education. Congress also notes that the situation is unlikely to improve, and may actually become more severe before the next Scottish Parliament and local authority elections.

“Congress is also concerned that a number of specific education commitments made by the Scottish Government (including reductions in class size and the maintenance of a minimum of 53,000 teachers) may be compromised by decisions taken at local authority level, and that these commitments will not be delivered across the country. Congress is also concerned that the Concordat and the Single Outcome Agreement mechanism will not be sufficient to provide, or allow for, delivery by Local Authorities of agreed decisions.

“Congress, therefore, calls on the General Council to examine ways in which Scottish Government commitments can be protected from the effects of local authority budget cuts through discussion with both the Scottish Government and Scottish local authorities.”

**Mover: Educational Institute of Scotland**

#### **46. Local Authority Trusts**

“That this Congress notes the continuing trend over recent years of Local authorities placing the provision of Cultural and Leisure facilities into Trusts. These Trusts are largely, but not exclusively, Council funded and usually have a number of Councillors sitting on the Board. Often, the principal rationale for moving to such Trusts is argued as being a significant financial benefit to both the Council and the new Trusts, in terms of both improved tax and VAT benefits, as well as the ability to leverage significant private funds. Congress is concerned, however, that in practice such Trusts often quickly seek to:

- worsen the terms and conditions of employment for their employees;
- rapidly expand senior management structures and salaries; and
- place unrealistic demands for substantially increased funding on a year on year basis from the local authority.

“Transparency of governance and accountability inevitably suffer, despite the presence of elected Councillors on the Boards of these Trusts. Councillor Board Members often cite commercial directorial obligations as their rationale for abandoning both industry best practice and Council policies.

“Congress believes it is time that a fundamental review is carried out on these Trusts, to examine whether local authority funded Trusts deliver best value for the provision and management of cultural facilities.

“The review should consider such alternatives as Scottish Government funding via Creative Scotland, and should also consider alternatives which may provide better financial control, better governance and clearer means of accountability.

“Congress, therefore, calls upon the STUC to campaign to the Scottish Parliament for such a review.”

**Mover: Broadcasting, Entertainment, Cinematograph & Theatre Union**

### **Amendment**

5th para, lines 1/2/3, delete:

“such alternatives as Scottish Government funding via Creative Scotland, and should also consider”

5th para, at end, delete “full stop” and insert:

“, such as returning Trusts to full democratic control within local authority structures”.

**Mover: UNISON: Scotland**

### **47. Scottish Government and COSLA**

“That this Congress notes with disquiet the wrangling between the Scottish Government and Scottish local authorities over the funding for free school meals.

“Congress believes that this situation has arisen, at least partially, because of the recent ‘Concordat’.

“Congress calls on the Scottish Government and COSLA to meet again, with a view to establishing funding mechanisms which are transparent and not open to dispute or varied interpretation.”

**Mover: Scottish Secondary Teachers’ Association**

#### **48. Safeguarding the Vulnerable People of our Society**

“That this Congress calls on all local authorities in Scotland to prioritise, within their budgets, services which safeguard vulnerable people in society.”

**Mover: Aberdeen TUC**

#### **49. Efficiency Savings**

“That this Congress condemns the opportunities scorned by successive Governments in Scotland and the UK, to build efficiency and improvements in public services based on the needs of the people, rather than enriching the few whose interests are served by short term financial gain at the expense of the long term needs of the people. Congress also condemns the role successive Governments in Scotland and the UK have played, not only in diminishing the quality of public services provided, but in seeking to falsely divide the interests of the people from the interests of the workers in public services.

“Congress, therefore, calls on the General Council, in consultation with affiliates, to develop and promote a new Charter for Public Services based on enshrining the rights and responsibilities to which all parties - governments, as the employer of public services workers, and the people can transparently base the future of Scotland and Britain’s public services.”

**Mover: Public & Commercial Services Union**

## **50. NHS Car Parking Charges**

“That this Congress notes:

- the motion resolving to campaign to ensure that all NHS hospital car parking is capped across Scotland, and that patients, their families, visitors and NHS staff are not a source of health board income or private profit, passed at STUC Congress last year; and
- that in certain hospitals in NHS Scotland car parking remains inaccessible, or unaffordable, and continues to be a source of profit.

“Congress believes that excessive or restrictive car parking at NHS hospitals penalises staff, patients and their families.

“Congress resolves to continue to campaign to ensure that all NHS hospital car parking is adequate and affordable, and that patients, their families, visitors and NHS staff have access to car parking and are not a source of Health Board income or private profit.”

**Mover: Chartered Society of Physiotherapy**

## **51. Social Care Services**

“That this Congress notes that, despite the efforts of staff, Councils, voluntary sector and government to improve social care services through the establishment of SSSC, SWIA, Care Commission, registration of staff and a universal aspiration to attain improved services, social care services are being undermined through:

- under-funding and the consequent rationing of services;
- cuts in staffing levels and growing stress on social care staff;
- increases in charges for service users;
- outsourcing and privatisation of services, resulting in poor quality services often delivered by inadequately trained and badly paid staff; and
- the failure of the Scottish Government and Councils to adopt appropriate procurement policies and follow agreed guidance.

“Congress recognises that these factors result in a decrease in the quality of services provided to the most vulnerable members of the community.

“Congress, therefore, calls on the General Council to work with the relevant unions to campaign for quality social services across Scotland.”

**Mover: UNISON:Scotland**

## **52. Scottish Government Pay Policy**

“That this Congress condemns the Scottish Government’s pay policy in relation to Non-Departmental Public Bodies (NDPBs).

“The policy has undermined living standards and the implementation has been marred by confusion and delay with a consequent impact on staff morale.

“Congress recognises that workers in NDPBs are angry about the difficulties caused by the inflexibility of the policy and the administrative processes and this has led to industrial action. In many cases, it has taken almost two years to get to a pay offer, let alone negotiate a settlement. The remits for this year are now falling into the same black hole.

“Congress notes that problems include:

- delays in preparing the guidance that is then introduced without meaningful consultation;
- excessive delays by the Scottish Government in responding to NDPB management’s proposals;
- the rigid interpretation of the guidance that leaves little scope for negotiation at a local level, undermining free collective bargaining;
- limited recognition and assistance with the short term costs of equal pay and harmonisation; and
- imposing new pay structures that are not fully funded.

“Congress, therefore, calls on the General Council to engage with the Scottish Government on a comprehensive review of the Scottish Government’s pay policy and its implementation, with a view to allowing NDPBs and the trade unions the opportunity to resolve pay terms and conditions through collective bargaining.”

**Mover: UNISON:Scotland**

### **Amendment**

1<sup>st</sup> para, line 2, after “NDPBs”, insert: “and civil service workers”

3rd para, line 1, after “NDPBs”, insert: “and civil service workers”

Final para, line 4, after “NDPBs and”, delete remainder of para, and replace with:

“civil service workers and their trade unions the opportunity to negotiate pay through collective bargaining arrangements, which are appropriate and ensure fairness in line with other workers.”

**Mover: Public & Commercial Services Union**

### **53. Welfare Reform**

“That this Congress notes with concern the publication in December 2008 of the Government’s White Paper on Welfare Reform. This paper announces the intention of the Government to introduce legislation that amounts to a major attack on key elements of the welfare state. These include:

- greatly extending the role of the private and voluntary sectors in delivering welfare services;
- abolition of Income Support;
- introducing a ‘work for your benefit’ scheme;
- stricter sanctions on the unemployed;
- forcing lone parents and those with long term illnesses to seek work, or lose their benefit if they refuse; and
- giving the private sector the right to bid for the work of Jobcentre Plus.

“These proposals were unacceptable when first published, but appear even more so in the context of a major recession and rapidly increasing unemployment. The overwhelming majority of people dependent on state benefits are victims of factors outside their control. The Government should be focussing on providing the help and support they need, instead of penalising them and cutting their benefits.

“Congress believes that the Government should rethink its plans and introduce instead reforms to create a better welfare state and fairer society. Measures that should be adopted are:

- immediate increases in the rates of Jobseeker’s Allowance and other benefits;
- an end to the privatisation of Jobcentre Plus work;
- positive measures to make employers offer flexible working practices and expand the provision of affordable childcare; and
- voluntary not compulsory skills training for those who want it, with proper financial support for those unable to work.

“Congress instructs the General Council to organise the widest possible opposition to the White Paper with other unions, pressure groups and other interested organisations.”

**Mover: Public & Commercial Services Union**

### **Amendment**

After final para, insert additional para:

“Congress is appalled by, and condemns the rhetoric used by, politicians during debates surrounding welfare reform. This has been used to stigmatise the vulnerable and divide communities, and is in sharp contrast to the slowness to criticise corporate finance, whose crisis is inflicting so much damage and misery.”

**Mover: National Union of Rail, Maritime and Transport Workers**

#### **54. Provision of Services in Jobcentre Plus**

“That this Congress re-affirms its opposition to the staffing cuts and office closures, which have greatly reduced the services provided by Jobcentre Plus. It notes that unemployment is continuing to rise rapidly and that new rules for those claiming benefit are bringing even more work to the benefit system administered by Jobcentre Plus.

“Congress is concerned that Jobcentre Plus is facing a crisis, and lacks the capacity in both staff numbers and office space to provide an adequate service to those out of work. It is also concerned that the pressures resulting from this could cause a backlash against frontline Jobcentre staff to the detriment of their health and safety.

“The Government has been able to find billions of pounds to underwrite the financial sector. The Government also needs to provide sufficient funds to deal with those who do, unfortunately, find themselves out of work, and to safeguard the health and safety of their own employees in Jobcentres.

“Congress, therefore, calls upon the Government to fund urgently the staff and premises, which will be required to meet these aims.”

**Mover: Kirkcaldy TUC**

#### **55. HMRC Closures**

“That this Congress expresses its disappointment that, at a time of economic downturn, Her Majesty's Revenue & Customs has chosen to:

- close offices in remote and rural locations; and
- move work from these locations to the Central Belt, while Holyrood seeks to decentralise public sector work in the opposite direction.

“HMRC expects staff whose offices are to close to spend up to ten hours a week travelling to work at new locations.

“Congress expresses its support for the SHOUT! Campaign (**S**cottish **H**MRC **O**ffices **U**nder **T**hreat), and calls upon the General Council and affiliates to voice their support for the staff involved to HMRC and relevant Ministers, asking them to reconsider their decision as a matter of priority.”

**Mover: Dundee TUC**

## **SECTION 6**

### **TRADE UNION AND EMPLOYMENT RIGHTS**

#### **56. Pensions**

“That this Congress believes that current Government policy is contributing to poverty amongst the UK pensioners, and that successive Governments have broken their election pledges to deliver a decent State Pension for pensioners.

“Congress rejects the attacks of employers on occupational pension schemes and believes that, until the Government establishes sensible pensions’ legislation, there is little, other than effective collective bargaining, that will restrain employers.

“Congress further rejects the idea that there is a pensions’ crisis because people are living longer, not least because the National Insurance Scheme has excesses of more than £35 billion, and successive Governments have found money to fund wars that no-one in Scotland wants.

“For many years now, the STUC has been calling for the following pension demands:

- a decent State Pension for all pensioners at Minimum Wage legislation levels;
- an end to pensions’ means testing;
- an end to the discrimination of women pensioners and full restoration of pension credits for years lost from work, due to caring responsibilities; and
- the immediate restoration of the link between the State Pension and average earnings or prices (whichever is higher).

“Congress, therefore, calls on the General Council to:

- work with the TUC and Wales TUC, Scottish Pensioners’ Forum and National Pensioners’ Convention, to organise a national rally and demonstration of government; and

- continue its excellent campaigning work on the issue of State Pensions and for effective legislation to protect Scottish occupational pensions.

**Mover: Associated Society of Locomotive Engineers & Firemen**

## **57. Pensions**

“That this Congress notes that over 8 million people in the UK are paying into different types of public and private sector employers’ pension schemes.

“Whether they be final salary or money purchase schemes, those contributing will not only be paying tax to the treasury when they retire, but will also be saving the Government billions of pounds in the future by reducing their dependency on state support in retirement.

“We call on the General Council to urge the Government to step in now, as they did with the banks, to safeguard the future for those employees who are saving their deferred wages as pensions, so that they are not living in poverty, or depending on State support upon retirement.”

**Mover: Dundee TUC**

## **58. Pensions**

“That this Congress calls on the New Labour Government to meet the key demands of the National Pensions’ Convention:

- that the basic state pension be raised above the £151.00 a week poverty level (for a single pensioner);
- that the link with earnings or prices (whichever is the higher) be immediately restored; and
- that the state pension be paid to all existing pensioners on a universal basis.”

**Mover: North Lanarkshire TUC**

## **Amendment**

At end, insert additional para:

“Congress also calls for substantial additional assistance to the oldest pensioners as of right, noting that the derisory 25 pence a week awarded to the over 80s hasn’t been enhanced since its introduction in 1971.”

**Mover: GMB:Scotland**

### **59. Dignity in Retirement**

“That this Congress wishes to highlight pension poverty and to stress that the State Pension is a right and not a benefit.

“It should, therefore, be an entitlement for all older people, and richer pensioners could be taxed as required.

“If a decent pension was given as a right, it would stop means-testing, which older people find intrusive, degrading and difficult. It would also cut the extensive administration costs related to this benefit payment, and would be a huge political advantage to the party which brings it in.

“Congress notes positive aspects in the Pensions’ Bill, such as allowing people to buy back years, but also recognises that many will not be able to afford this.

“The introduction of the State Pension was a big philosophical shift to state responsibility and we do not want to see a backward step. State intervention gives older people dignity and security, particularly in Scotland with lower wages and lower pensions, placing it well down the UK economic scale.

“Congress agrees to continue to support the most vulnerable people in the country.”

**Mover: Dunfermline/Cowdenbeath TUC**

## **60. Vulnerable Workers**

“That this Congress welcomes improvements in employment rights for Scotland's 180,000 vulnerable workers, such as the tripartite agreement on agency workers, annual increases in the Minimum Wage and the further increase in statutory holiday entitlement that came into force in April 2009.

“However, without effective enforcement the new employment rights will fail to deliver the protections intended for Scotland's vulnerable workers.

“While Congress applauds the work of Scotland's National Minimum Wage Compliance Officers and the Health and Safety Executive in enforcing the Minimum Wage and the Health and Safety Regulations, it is still the case that underpayment of the Minimum Wage and breaches of health and safety law are far too high in Scotland.

“Further, Scottish workers and their trade union representatives have no enforcement route for many employment rights except by making an application to an Employment Tribunal or County Court.

“Congress believes that strengthening employment rights enforcement mechanisms should be a priority for the Scottish Trade Union Movement in the run-up to the next General Election.

“Congress, therefore, calls on the General Council to lobby the Government for:

- a better resourced and more extensive proactive enforcement strategy;
- a greater role for trade unions in the enforcement process;
- a major employment rights awareness and publicity campaign targeted at those Scottish industries and regions where vulnerable workers are highly likely to be employed;
- effective enforcement measures to be included in the forthcoming Agency Workers' legislation; and
- a Fair Employment Commission, with an office in Scotland, to be established alongside existing enforcement agencies to provide for co-ordination of employment rights enforcement.”

**Mover: Union of Shop, Distributive & Allied Workers**

## **Amendment**

Final para, at end, insert additional bullet point:

- “an extension of the Gangmaster Licensing Regulations into industries where vulnerable workers require further employment protections.”

**Mover: Union of Construction, Allied Trades and Technicians**

### **61. Vulnerable and Migrant Workers**

“That this Congress notes that the Commission on Vulnerable Employment recently estimated that there are around 2 million workers in the UK who are in vulnerable employment.

“The reasons for this are extensive, but much of the exploitation of vulnerable workers happens because the law is not strong enough and less scrupulous employers take full advantage of this.

“This results in extreme insecurity for workers, who do not have contracts, work with Agencies, or have fewer rights, because of their immigration status.

“Congress calls upon the General Council to address this problem in Scotland by working with Governments in Westminster and Holyrood to:

- take action to improve employment rights’ awareness;
- give vulnerable workers access to advice, including legal aid;
- bring about better enforcement of employment rights;
- enforce better regulation of the sectors where the risk of exploitation of these workers is greatest;
- look at how immigration regulations can be improved to stop the exploitation of migrant workers;
- grant asylum seekers the right to work; and
- work towards a regularisation of the status of migrants who are currently here illegally.

“Finally, Congress calls upon all affiliates to step up their recruitment activities in the low paid sectors, where vulnerable workers are most likely to be employed, with a view to improving their living standards.”

**Mover: Communication Workers’ Union**

## **62. Employment Policies**

“That this Congress expresses its grave concern over assumptions made by many employers that the existence of a written policy on an employee-related issue constitutes evidence that the employer can handle the issue concerned in an acceptable manner and according to law.

“Congress condemns the use of Absence Management Policies, which deal with absence solely on the basis of the number of days of employee absence and take no account of the reason for the absence.

“Congress further notes with extreme disquiet the inability of many employers to formulate Absence Management Policies, which take account of the possibility of employee absence being caused by bullying on the part of management.”

**Mover: Scottish Secondary Teachers’ Association**

## **63. Performance Management**

“That this Congress notes that performance management systems are now commonplace in many sectors of the economy and are used e.g. to pressurise workers into producing more, drive down wages, create quotas for under performers and manage workers out of their jobs, etc.

“The use of performance management processes is a particularly brutal method of making workers behave and react to company imposed standards, discarding those who do not fit the template.

“There is also increasing anecdotal evidence that workers subjected to these processes are increasingly suffering from mental health problems and that sick absence has also dramatically increased.

“Congress is, therefore, instructed to commission a research project to establish the affect performance management processes are having on the workforce in various sectors, and to further establish if there is a link between these processes and the rise in workplace mental health problems.”

**Mover:                    Communication Workers’ Union**

### **Amendment**

1<sup>st</sup> para, line 2, after “the economy and”, insert: “instead of acting as a positive development tool which inspires high performance,

1<sup>st</sup> para, line 3, before “used”, insert: “too often being”

Final para, line 2, before “affect performance”, insert: “the cost and”

Final para, line 3, after “sectors,”, insert: “including the amount of management time which is spent implementing them,”

**Mover:                    Connect**

## **64. The Workplace and the Environment**

“That this Congress is fully aware of the impact our everyday actions and excessive use of the world’s natural resources has on climate change. Whilst there has been a significant drive to recycle as much as possible, e.g. papers, plastics and tin, it is our view that too much is still needlessly thrown away.

“Within NHS Podiatry Services discussions are taking place, whereby much greater use of disposable instruments may be introduced to address concerns in relation to infection control, which, if adopted throughout the UK, would amount to approximately 50 million sets of instruments per year being disposed of after a single use.

It is our view that there is little or no evidence of a full and relevant risk assessment or impact assessment having been carried out.

“Congress seeks that all work processes have:

- a full risk assessment carried out before any change is introduced;
- an assessment of the impact of the change includes the potential for impact on the environment; and
- environmental issues are placed at the top of all workplace agendas.”

**Mover: Society of Chiropractors & Podiatrists**

## **65. Shorter Working Week - Without Loss of Earnings**

“That this Congress notes and condemns the long hours’ culture in Scottish workplaces, which damages family and social life; threatens the health and safety of workers fatigued by long hours; and reduces their productivity of labour.

“Congress fears that the pressure to do longer hours and unpaid overtime will escalate, as workers fear for their jobs and employers refuse to take on additional staff, forcing existing workers to work longer and harder instead.

“Congress opposes this long hours’ culture on health, safety and economic grounds, but also because it blocks social progress.

“In a period of economic recession and mass redundancies, the demand for a shorter working week is even more urgent and appropriate.

“Congress, therefore, welcomes the small step forward of the European Parliament voting to end the UK’s opt-out from the Working Time Directive.

“Congress agrees to campaign for a maximum 35 hour working week without any loss of earnings, this to be the first step towards a 4-day week.

“Congress instructs the General Council to encourage affiliated unions to fight for this in response to threatened redundancies, and to organise meetings, rallies and demos in support of workforces willing to make such demands.”

**Mover: Cumbernauld and Kilsyth TUC**

## **66. Individual Employment Disputes and Mediation**

“That this Congress welcomes the abolition of the Disputes Regulations, which have deterred members from pursuing individual employment rights. Congress welcomes the enhanced role for ACAS in conciliation and mediation of individual employment disputes.

“Congress notes that collective union action, including negotiations, will generally be the best way to resolve problems arising in the workplace. However, where members have to (or choose to) pursue matters individually, they may use internal procedures, such as grievance, or may seek union advice on legal claims. A further option is mediation involving the support of an independent person to assist the parties to reach agreement.

“Congress notes that each affiliate has its own legal scheme and its own arrangements to advise and assist individual members at the workplace.

“Congress notes that, where employers seek to offer mediation to employees in dispute with management or with colleagues, members and their union reps will seek comparable advice and assistance from their union.

“Congress believes that mediation schemes should only be introduced after negotiation, involving the recognised unions at the design stage. Mediation should be available to individual employees, where appropriate, and should only ever proceed on the basis of informed consent. Union reps should have training, so as to be able to advise members of the pros and cons and ensure that adequate safeguards are in place. Negotiators should ensure that members entering mediation do not thereby lose the right to pursue their concerns through formal procedure, in the event that mediation fails.

“Congress calls on the General Council to work with affiliates and with other interested parties, including the TUC and ACAS, to develop information resources and training on mediation awareness, negotiating mediation schemes and safeguarding member interests.”

**Mover: University & College Union (Scotland)**

## **67. Public Holidays**

“That this Congress calls upon the STUC to campaign for more additional public holidays to be in line with our European counterparts. The campaign must be about additional holidays not about change of holiday dates.

“Although St Andrew’s Day was accepted as a local holiday date, this is not an addition, as other stable present holidays were to be used to substitute this new recognised date.

“Additional holidays are required for workers to spend more quality time with their families and should be at no extra cost to the employees.”

**Mover: North Lanarkshire TUC**

## **68. Barriers to Justice**

“That this Congress condemns the Scottish Government’s civil justice reform agenda and remains concerned about gaps in existing corporate killing legislation.

“This agenda: aims to privatise our civil courts, with the declared intention of making Scottish citizens pay 100% of court fees prior to accessing justice; and serves the Government’s goal of making the Scottish Supreme Court the first choice of big business in settling disputes to the exclusion of all other court users.

“Congress believes these proposals would restrict the ability of trade unions to deliver for our members, and disenfranchise hundreds of thousands of people on low incomes from accessing justice on issues from personal injury to asylum, thus putting profit before people.

“Further, whilst new barriers are being created to achieving justice in the civil courts, existing barriers remain in the criminal courts. In 2007/08:

- 32 employees were killed at work; and
- approximately 12,000 other employees were injured at work.

“Among the dead were three Unite members who perished in the *Flying Phantom* tragedy.

“Despite new Corporate Manslaughter legislation in April 2008, the law does not go far enough to make company directors fully responsible for the health and safety of workers.

“Negligent operators such as ICL Stockline - fined £400,000 for health and safety breaches which left nine dead in the 2004 disaster - can still escape a criminal conviction.

“Congress deplores our two-tier justice system and resolves to campaign for:

- a Private Member’s Bill that puts criminal culpability on individuals who fail to provide sufficient health & safety protections for their employees;
- the re-constitution of the Expert Panel on Corporate Killing at the Scottish Parliamentary level; and
- the reversal of the Scottish Government and Justice Committee proposals to increase cost recovery fees in the civil courts.”

**Mover:                   Unite the Union**

## **69. Health and Safety**

“That this Congress notes the high level of workers killed in Scotland each year.

“Congress demands progress and a policy change from the recent HSE strategy consultation, including greater emphasis placed upon worker involvement in health and safety. This should include strengthening the role of safety representatives and underpinning workplace safety advisors through ring-fenced funding, with an emphasis on those industries with high fatality figures and significant amounts of major injuries reported.

“Since 2002, the HSE has experienced year on year real terms budget cuts. The cuts have led to fewer inspectors and inspections. Congress agrees that the HSE adopted policy of self-regulation has not worked. It has been an abject failure and has endangered the lives of workers in all industries.

“Congress welcomes the new specialist division within the Crown Office and Procurator Fiscal Service to prosecute employers, who commit health and safety offences, but is disappointed that there has been no meeting between the STUC and the new division.

“Congress believes that a high level of regular inspections, supported by maximum enforcement action and punitive penalties, will result in workplace deaths being reduced.

“Congress notes the first anniversary of Corporate Homicide legislation on 6<sup>th</sup> April this year and questions just how many workers and their families have been able to use this legislation to achieve justice.

“Congress asks the General Council to campaign to:

- transform the HSE to become an organisation that maximises resources into inspecting and prosecuting companies that break health and safety laws;
- lobby for dramatically increased funding of the HSE with additional monies spent on frontline services; and
- embed a culture of transparency and openness within health and safety, as this is vital to help reduce fatalities in the workplace.”

**Mover: Union of Construction, Allied Trades & Technicians**

## **70. North Sea/Offshore Rescue Following Helicopter Ditching**

“That this Congress condemns the use of Dacon Scoop, or other forms of mechanical recovery, as the primary means of rescue in all sea states should there be a helicopter ditching in the North Sea.

“We call upon the STUC to work with the affiliated offshore trade unions to mount a vigorous and high profile campaign, to bring attention to what, we believe, is an unsafe practice that, whilst not resulting in a fatality, may yet endanger life.”

**Mover: British Airline Pilots’ Association**

## **71. Domestic Sprinklers**

“That this Congress notes the dramatic increase in deaths, injuries and rescues as a consequence of fire in Scotland.

“Congress recognises the effectiveness of Domestic Sprinkler Systems in alerting the presence of fire; inhibiting fire spread; and saving lives.

“Consequently, Congress calls on the Scottish Government to make the necessary changes to Building Regulations, in order to ensure that all new build properties are required to have sprinkler systems installed.

“Furthermore, Congress calls upon Local Authorities to begin an installation programme of Sprinkler Systems in all their housing stock.”

**Mover: Fire Brigades Union**

## **72. Post Traumatic Stress Disorder**

“That this Congress is asked to support the establishment of a Centre of Excellence in Scotland, to provide treatment, support and counselling to persons suffering from post traumatic stress disorder. This condition affects numerous members of society. The onset is often caused by situations that can arise in the working environment.

“Medical research has shown there is an increasing need to establish this type of facility. This would allow all aspects of necessary care for recovery to be available in one specialised centre.”

**Mover: National Union of Mineworkers: Scotland Area**

### **73. Protection Against Workplace Violence**

“That this Congress notes and welcomes the terms of the Emergency Workers’ (Scotland) Act 2005. Congress, however, notes a disturbing increase in the incidence of violence in the workplace, and expresses particular concern over physical assaults arising simply from the fact that the workers are undertaking their normal duties.

“Congress calls on the UK Parliament to enact legislation, which would protect all workers in such situations, regardless of their category of employment.”

**Mover: Scottish Secondary Teachers’ Association**

#### **Amendment**

1. Final para, amend to read:

“Congress calls on the General Council to consult affiliates on possible amendments to the description of workers covered by the Act, with a view to securing necessary legislative change.”

**Mover: Educational Institute of Scotland**

2. Final para, at end, insert additional sentence:

Reducing staff assaults will also help provide a safer environment for users of services”.

After final para, insert additional para:

“Congress also requests the General Council assists in identifying best practice from different sectors on policies, to prevent assaults and care for victims of assault, and to also assist in organising joint campaigning amongst affiliates.”

**Mover: National Union of Rail, Maritime and Transport Workers**

## **74. Abuse of Technology/Cyberbullying**

“That this Congress notes that developments in technology have made significant improvements in support for communications and working practices in the public services.

“Congress is concerned, however, by the growing evidence that the abuse of technology, particularly mobile phones, e-mails and internet sites is providing a vehicle for bullying and sexual harassment of public service staff and for false allegations to be made against them.

“Congress is further concerned about the damage done to teachers, specifically those who become victims of cyberbullying, either through hosted websites, such as RateMyTeacher.com, or through malicious impersonation on social networking sites.

“Congress asserts that such incidents are unacceptable and are causing great distress to many workers. Congress believes that, in certain settings, mobile phones may constitute potentially offensive weapons.

“Congress welcomes initiatives to raise awareness of the devastating adverse effects of cyberbullying on the health, wellbeing, confidence, self-esteem and career progression of affected workers.

“Congress calls on the STUC to:

- (i) lobby the Scottish Government for a review of regulatory and legislative provisions to prevent allegations being made against named staff on internet sites;
- (ii) secure more accessible avenues of redress for those who are exposed to public ridicule and false allegations;
- (iii) campaign for the use and abuse of technology to be included in the HSE health and safety good practice guidance on the conduct of workplace health and safety audits; and
- (iv) support measures to protect teachers’ rights to privacy by taking action, where appropriate, against those who subject teachers to cyber-harassment.”

**Mover: NASUWT**

## **75. Minimum Standards in the Scottish Betting Industry**

“That this Congress welcomes the work of the STUC to raise the issue of the protection of employees in the betting industry within Scotland. However, Congress is concerned that the Scottish Government may not seize the opportunity to introduce minimum standards that effectively protect betting shop workers. Congress notes the continuing rate of violent crime – such as knife crime – perpetrated against betting shop workers; further notes the continuing failure of betting shop employers to effectively tackle the issue of abuse of betting shop workers; and urges the STUC to continue to press the Scottish Government to take effective action on this issue.”

**Mover:**                    **Community**

## **SECTION 7**

### **TRADE UNION ORGANISATION**

#### **76. Lack of representation of Black and Asian Activists in the Trade Union Movement**

“That this Congress is very concerned about the little representation of Black and Asian activists in the Trade Union Movement.

“We can only challenge racism, if we work actively against it. Bullying and harassment and direct/indirect racial discrimination from colleagues and employers still take place in some workplaces, even where Black and Asian workers are reasonably represented. To fight our case and protect others, we need to know the Employment Law, different legislations, regulations and all our rights at work.

“Since Black workers are those who mostly suffer racism and know exactly what it means to be racially discriminated against also at work, becoming a Trade Union Rep or Health and Safety Rep puts us in a better position to defend our rights and provide more help to other Black and Asian colleagues in workplaces.

“Unfortunately there is very little representation of H&S Reps and Shop Stewards from the ethnic minorities in many workplaces.

“Trade unions need Black workers as much as Black workers need trade unions.

“Congress calls on the General Council to:

- develop a Scotland-wide campaign with its affiliates, to encourage Black workers, including migrants, asylum seekers and refugee workers to take up trade union membership;
- develop campaigns with its affiliates, for more Black representation within the trade union movement;
- support work of the STUC Black Workers’ Committee to engage with organisations, such as ‘Black Vote’, GARA and others to encourage political awareness among Black trade unionists; and

- support an update on the progress of equality within the Scottish trade union movement and publish its findings for the 2010 Congress.”

**Mover:                    Annual STUC Black Workers’ Conference**

### **77.    70th Anniversary of the STUC Youth Committee**

“That this Congress notes the ongoing work of the STUC Youth Committee following the 70th Anniversary in 2008 of the founding STUC Youth Conference, and commends young activists who throughout the years have been at the forefront of campaigning for a better deal for young workers and a fairer world.

“Congress notes that the Youth Committee remains active in a range of areas, which would be recognised as priorities by the founding members, such as skills and training; debt; wage equality; housing; health, welfare and safety at work; political education; and international solidarity.

“Congress recognises that young workers in Scotland are equally at risk of becoming victims of crime in their communities but, unfortunately, are more often identified as perpetrators. Young workers in the workplace, as well as being subject to management or colleague bullying, are disadvantaged in training opportunities, particularly as a result of economic circumstances, and are more likely to suffer work related injury or ill health, and continue to face discrimination in the Minimum Wage.

“Congress believes that young workers are the key to the future health and success of our movement, as well as to ensuring continued relevance today.

“Congress calls on all affiliates to celebrate the 70th Anniversary of the STUC Youth Conference and Committee by joining with them in support of their campaigns and re-doubling their efforts to organise young members and encourage their participation in youth structures.”

**Mover                    Annual STUC Youth Conference**

## **SECTION 8**

### **SOCIAL JUSTICE AND EQUALITY**

#### **78. Test Purchases**

“That this Congress very much supports initiatives to stop the sale of alcohol to underage people. We recognise that such practices can cause a blight on communities, leading to an increase in anti-social behaviour. Congress is also concerned that the consumption of alcohol by minors has a significant impact on the health of the individual.

“Congress supports initiatives like the ‘Think 21’ and ‘Think 25’ Campaigns that encourage a culture of proof of age beyond the legal threshold of 18 years old. We also welcome efforts by the drinks industry to promote the carrying of proof of age cards.

“However, Congress is concerned that the Scottish test purchasing scheme is too draconian and impacts disproportionately on shopworkers. This scheme, operated by the police, sends underage customers into a store to try to buy alcohol and they are now allowed to lie about their age and provide fake ID. Congress believes that the system is seeking to trick shopworkers into breaking the law.

“Congress is also concerned that a shopworker who fails a test purchase is likely to get a heavy fine and a criminal record, even if it is their first offence.

“Congress calls on the STUC General Council to campaign for:

- an advertising campaign to drive home the message that under-age drinking is culturally unacceptable;
- a single and robust age identification scheme, with difficult to forge ID cards;
- a greater onus on retail employers to provide training and support for staff who are dealing with age related sales; and
- a test purchase system that allows first time offenders to offer mitigating circumstances and does not leave them with a criminal record.”

**Mover: Union of Shop, Distributive & Allied Workers**

## **79. Alcohol Abuse**

“That this Congress is concerned at the continuing social and economic tolls of alcohol abuse in Scotland. Alcohol abuse affects every aspect of an individual’s life - at home and in the workplace. Therefore, Congress urges the STUC to work more closely with the national health services and alcohol abuse services, to encourage co-ordinated action by trade unions and employers to help to eradicate a problem that affects families and communities across Scotland.”

**Mover: Community**

## **80. Responsible Drinking**

“That this Congress notes, with concern, that excessive drinking seems to have become one of the defining features of Scottish society. Congress, therefore, believes that tackling the binge drinking culture in Scotland should be a priority for Government and Scottish civic society.

“However, the flagship policy of the Government’s recent discussion paper on alcohol misuse was to increase the minimum purchase age of off-sales to 21 years.

“Congress believes this policy, demonising the vast majority of responsible young Scots, will be ineffective in tackling the wider culture of irresponsible drinking that exists in Scotland.

“Congress further believes that it is unacceptable to solely focus on the behaviour of the under 21 age group when:

- two-thirds of those accused of homicide (and whose drug status was known) in 2006/07 were either on drink or drugs at the time of the offence;
- 45% of Scottish prisoners in 2007 said they were drunk at the time of the offence;
- 62% of domestic abuse cases in 2003 involved alcohol;
- 65,000 Scottish children are estimated to live with a parent whose drinking is problematic; and
- a quarter of children on the Child Protection Register are estimated to be there due to parental alcohol or drug misuse.

“There will be no quick fix to this problem and changing binge drinking in Scotland means changing Scottish culture. Young people cannot be used as scapegoats to allow the rest of society’s behaviour to go unchallenged.

“Congress, therefore, calls on the STUC General Council to work with the Youth Committee in lobbying the Scottish Government, calling for their alcohol misuse policies to focus on the whole of Scottish society - not just the under 21 age group - and to encourage a new culture of responsible drinking for everyone.”

**Mover: Annual STUC Youth Conference**

### **81. ‘Because I’m a Girl’**

“That this Congress notes:

- *Plan International*, a child-centred community development organisation working across Africa, Asia and Latin America, has launched a campaign to address the rights of girls in areas of poverty, instability and conflict; and
- the TUC Women’s Conference resolution to support the ‘Because I’m a Girl’ Campaign in 2008.

“Congress further notes that:

- 200 million girls in countries are at risk of, in the midst of, or emerging from armed conflict;
- there are about 100,000 girls among the estimated 300,000 child soldiers in the world today;
- more than half of the 39 million children who are out of school, and live in countries affected by conflict, are girls, and a disproportionate number of girls remain unable to attend school;
- rape is used as a deliberate tactic in ethnic or religious conflict; and
- in 2007, girls in the world were more likely to be subjected to violence, have less access to health care and less basic nutrition than their brothers.

“Congress believes that:

- addressing the discrimination against women and assisting women in their communities benefits families and communities to escape poverty;
- discrimination against girls is often double-edged - discriminating against their young age, as well as their gender; and
- by addressing discrimination against girls, the prospects of tomorrow’s women and their communities can be improved.

“Congress resolves to:

- lobby the UK government to support all initiatives that improve the rights and opportunities of girls, in particular by supporting programmes which enable girls to access education; and
- support Plan UK’s support for the ‘Because I’m a Girl’ Campaign and urge Scottish trade unions and their members to do the same.”

**Mover: Chartered Society of Physiotherapy**

## **82. People’s Charter**

“That this Congress agrees to support the ‘People’s Charter’, which sets out a programme for challenging the economic crisis and providing hope for a fairer society including:

- A fair economy for a fairer Britain: taking leading banking, insurance and mortgage industries into public ownership run for the benefit of all; ending raids on pension funds, asset-stripping and corporate tax loopholes; restructuring the tax system, so that big business and the wealthy pay more.
- More and better jobs: building full employment, protecting existing jobs and investing to create new jobs with decent pay; raising the minimum wage and ending the lower rate for young workers.

- Decent homes for all: stopping repossessions, controlling rents and building three million new homes; giving local government the power and money to build and renovate affordable, quality homes and buy empty properties.
- Protecting and improving our public services – no cuts: ensure energy, transport, water, post and telecommunications are in public ownership; ending corporate profiteering in public services; and stopping EU Privatisation Directives.
- Fairness and Justice: free heating and transport for every pensioner; link state pensions and benefits to average earnings; protect pension schemes; end child poverty; and enforce equal pay for women. End racism and discrimination in all its forms. No scapegoating of migrant workers; guarantee training, apprenticeships and education with grants and no fees; and restore trade union rights.
- Build a secure and sustainable future for all: ending the cost of war and the new generation of nuclear weapons; bringing our troops home; getting rid of the debt economy in Britain and cancelling the debts of the poor of the planet.

“Congress agrees to build support for the Charter in workplaces and communities, to assist in achieving a million UK wide signatures to demonstrate that the Government must put people first.”

**Mover: National Union of Rail, Maritime & Transport Workers**

### **83. Immigration**

“That this Congress notes that the new points-based immigration rules for employees came into force on 27 November 2008, and for students from March for the intake in Autumn 2009. Under this system, migrant workers and students will be required to carry biometric ID cards, even though the Scottish Government opposes the use of such cards. Most migrants will require a sponsor for their application to work or study in the UK. The sponsors must be licensed by the UK Border Agency and will have a responsibility to monitor foreign workers and students, including checking biometric databases. In addition, migrants are assessed on skills, qualifications and an ability to meet maintenance costs, which discriminates against those from poorer countries and families.

“Congress is concerned that:

- the maintenance test will discourage migrants from poorer countries resulting in a less diverse student population;
- the tracking and monitoring is a breach of international human rights and will discourage migrants;
- monitoring required for migrants may lead to draconian absence policies being introduced for all staff; and
- staff will be tasked with increased monitoring of other staff and/or students with the threat of disciplinary action if they refuse.

“Congress calls on the STUC to:

- condemn the use of ID cards and monitoring for international staff and students;
- monitor the effect of the new rules on ethnic diversity;
- work with the UK and Scottish Governments to reduce monitoring requirements and the use of ID cards;
- work with the Scottish Funding Council to reduce the burden for monitoring of foreign students;
- ensure that monitoring requirements for international staff do not result in the introduction of stringent absence and situation monitoring for all staff; and
- support affiliates in opposing the monitoring of foreign nationals.”

**Mover: University & College Union (Scotland)**

### **Amendment**

Final para, at end, insert additional bullet point:

- “condemn the requirement on education institutions to report foreign student absences in lectures or tutorials to the UK Border Agency.”

**Mover: Educational Institute of Scotland**

#### **84. 'Two Ticks' Disability Symbol**

“That this Congress notes increasing concern over the ‘Two Ticks’ Disability symbol operated by Job Centre Plus and awarded to employers prepared to meet five main commitments. Congress is concerned that too many employers, who claim ‘Two Ticks’ compliance, continue to flout their responsibilities through:

- failing to shortlist all appropriate disabled job applicants;
- neglecting to provide appropriate facilities at interview;
- inaction regarding the accessible training and personal development opportunities; and
- failure to interview all disabled applicants who meet the minimum criteria for a job vacancy and consider them on their abilities.

“Congress recognises that pressures from various sources, including union reps and advocacy groups have resulted in some improved guidance for employers. However, Congress calls on the General Council to:

- work with affiliates to collate information on reps experiences of the ‘Two Ticks’ award; and
- lobby the Department of Works and Pensions to ensure that compliance monitoring is increased and the operation scheme is subject to regular monitoring.”

**Mover: Annual STUC Disabled Workers’ Conference**

#### **85. Scottish Gypsy Travellers**

“That this Congress declares its support to the ongoing struggle of Scottish Gypsy Travellers to achieve formal ethnic minority status under Scottish Law, as a step towards societal recognition of their preferred lifestyle and traditions.

“We believe this is a trade union issue affecting members from this section of society, and the services provided generally and specifically to Scottish Gypsy Travellers.

It notes:

1. The 37 recommendations of the Scottish Parliament Equal Opportunities Committee in 2001, which have still not been implemented. These centred on how Scottish Gypsy Travellers should be treated by public and official bodies and include references to such matters as site and stopping place provision, and the right to pursue a traditional lifestyle with its own defined culture and values.
2. The Mandla vs Dowell Lee ruling of 1983, which laid out the conditions for identification of a distinct community.
3. The continued harassment and prejudiced behaviour experienced by Scotland's Gypsy Traveller community members in their daily dealings with society, all of which contravene articles of the European Convention for the Protection of Human Rights and Fundamental Freedoms.
4. The current systematic persecution of Roma Gypsies in Italy and elsewhere in Europe, and the unacceptable climate this creates across European borders.

“Congress therefore agrees to:

1. Support in moral and practical terms the work of the Scottish Gypsy Traveller Law Reform Coalition (SGTLRC), particularly in their efforts to establish an advocacy and advice service dedicated to their community in Scotland.
2. Raise the issues outlined above as appropriate with the Scottish Government.
3. Make contact with the SGTLRC to discuss how the STUC can support their ongoing campaigns.”

**Mover: South Lanarkshire & East Kilbride TUC**

## **86. Wheelchair Provision**

“That this Congress notes the Scottish Government's intention to provide £16 million for wheelchair and associated seating procurement and supply, including buildings, assessments, staff, training, adaptation, repair, maintenance and related services throughout Scotland. Of this, £1.2 million is for Highlands and Islands.

“Aware of the fact that Highland Health Board diverted 50% of the previous Scottish Executive’s £200,000 wheelchair funding allocation from wheelchair services to general services, without notice or consultation, Congress instructs the General Council to press the Scottish Government to secure the proposed funding for its intended purpose, on this and on future occasions, by stipulating ring-fenced status.”

**Mover: Inverness & District TUC**

## **87. Financial Advice**

“That this Congress, conscious of current and anticipated increased financial pressures, deriving from grossly irresponsible financial deregulation, gluttonous addiction to unjustified, manipulated bankers’ ‘bonuses’, sleazy City spivs, covert ‘trading’ and other forms of profit-generating financial wrecking, strongly reaffirms Congress policy of support for Citizens’ Advice Bureaux, local authority money advice services and Credit Unions.

“Congress considers these to deserve and require serious responsible central government support and financial injection, since, unlike the wreckers, they are willing to assist the victims of vast conspiracy to evade - with profit - the effects of the same wreckers’ greed.

“Congress, accordingly, instructs the General Council to make vigorous representation to the Governments, both at Edinburgh and Westminster, to recognise the value of these supportive organisations, especially now, and assist, encourage and finance them appropriately, as allies against recalcitrant City and banking interests.”

**Mover: Inverness & District TUC**

## **88. Promoting Wellbeing in Young Workers**

“That this Congress notes that suicide and self-harm is one of the most underestimated community health problems in the world. For every one person who dies by suicide there are 100 individuals who self-harm. A further 5 % of the population attempt suicide in their lifetime and 1 in 9 have seriously considered suicide. Suicide and self-harm affect all ages and walks of life, with the emotional effects on the wider community not often considered.

“It remains a sad fact that young people in Scotland are statistically more likely to self-harm, attempt or commit suicide than in other parts of the United Kingdom with the exception of Bridgend in Wales.

“Congress commends the work carried out by the Scottish Government, in particular the Choose Life and See Me Campaigns, that seek to raise awareness of the issue and fight the stigma associated with suicide and wider issues of mental health.

“Congress also recognises the confidential and emotional support Samaritans provide to those experiencing despair, distress or suicidal feelings and, in particular, their pilot Suicide and Self-Harm Response Kit for Secondary Schools.

“The Kit looks at preventing suicide and self-harm and, in the event of attempted or completed suicide, how to effectively manage the situation, from working through the effects with other pupils, staff and dealing with the media.

“Congress calls upon the STUC to:

- support and promote initiatives seeking to tackle the issues of suicide and self-harm in young people throughout Scotland;
- lobby the Scottish Government for increased funding to raise awareness of the issue on further and higher education, job centres and all Scottish workplaces; and
- encourage employers to have effective strategies in place to deal with the aftermath of attempted or completed suicide.”

**Mover: Annual STUC Youth Conference**

## **89. First Time Families**

“That this Congress notes research by the Child Poverty Action Group in Scotland, which shows that one out of four children in Scotland are living in poverty, and recognises that the poverty of children is inextricable from the poverty of their mothers. Women and children are more likely to be poor, because of women's low pay and the event most likely to tip low paid families into poverty is the birth of their first child.

“We welcome the Government's commitment to ending child poverty by 2020 and note that the 2009 budget is critical if the Government is to meet this target. In the current financial climate, the work unions are doing to boost members' incomes and to raise awareness of rights and benefits is more important than ever.

“Congress welcomes the STUC's commitment to prioritise this issue and calls on the General Council to:

- continue to support the work of affiliates in negotiating enhanced maternity pay and paid time off for family leave;
- press the Government to honour its commitment to extending the right to request flexible working to parents of older children;
- continue to support the End Child Poverty's 'Keep the Promise' Campaign and encourage them to link in with unions; and
- continue to work with and support the Scottish Child Poverty Action Group.”

**Mover: Union of Shop, Distributive & Allied Workers**

## **90. Child Poverty**

“That this Congress is dismayed that, even though the UK Government committed itself to eradicate child poverty, a commitment that is also shared by the Scottish Government, recent child poverty statistics suggest that the Government will miss its next target of cutting child poverty in half by 2010.

“Congress feels that it is time to step up the pressure to ensure that the Government keeps its promise to tackle child poverty. We ask the STUC to campaign with the various groups, Poverty Alliance, Barnardos and Oxfam to keep this pledge by the Government high on the agenda, as millions of children living in poverty are counting on this promise to come true.”

**Mover: Glasgow TUC**

### **91. Celebration of National and International Days**

“That this Congress calls on Aberdeen City Council and other local authorities in Scotland to ensure provisional bookings for local Trades Union Councils and similar organisations, to allow them to celebrate national and international days, such as St Andrew’s Day and May Day.”

**Mover: Aberdeen TUC**

## **SECTION 9**

### **INTERNATIONAL ISSUES**

#### **92. Trade Union Rights**

“That this Congress reiterates its call for repeal of the anti trade union laws and support for the Trade Union Freedom Bill.

“Congress congratulates those MPs, who rebelled against the Government in November 2008 and voted in favour of the amendment to the Employment Bill, tabled by John McDonnell MP, which would have simplified balloting procedures in accordance with a key clause of the Trade Union Freedom Bill.

“Congress also congratulates the United Campaign to Repeal the Anti Trade Union laws for its lobbying in support of the Trade Union Freedom Bill.

“Congress is appalled that the Viking, Laval, Ruffert and Luxembourg judgments in the European Court of Justice are a fundamental attack on collective bargaining and the right to strike, representing the most serious attack on trade unions since Taff Vale.

“In this respect, Congress notes the resolution passed at the 2008 TUC that unelected judges of the EU, using the ‘free movement’ provisions have disembowelled the concept of social Europe and undermined the ability of unions to protect workers, and that the Lisbon Treaty would exacerbate these attacks by handing greater powers to the ECJ to interpret disputes concerning the Charter of Fundamental Rights.

“Congress further notes that the 2008 TUC resolved to campaign against the ECJ judgments, including calling for a European wide day of action.

“Congress also notes that the ETUC are supporting a social progress protocol to be added to European Treaties, and Congress believes that a key element of this campaign must be to demand a workers’ rights progress protocol to remove the effect of the anti trade union ECJ rulings.

“Congress resolves to:

- facilitate meetings of affiliates to promote the campaign; and
- continue to lobby MPs, MSPs and MEPs (specifically in advance of the European Elections) to support this campaign.”

**Mover: National Union of Rail, Maritime & Transport Workers**

### **Amendment**

1<sup>st</sup> para, at end, insert additional sentence:

“Congress recognises this year the 25<sup>th</sup> anniversary of the Tory ban on trade union rights at GCHQ, and successful battle to restore those rights in 1997. Congress further acclaims the courage of those workers on Clydeside who, 90 years ago, faced Government troops and tanks in Glasgow to win their rights”.

**Mover: Public & Commercial Services Union**

### **93. Trade Union Rights**

“That this Congress notes with great concern the four recent European Court of Justice decisions in the Viking, Laval, Ruffert and Luxembourg cases which, taken together, have gravely restricted the right of workers to take industrial action in defence of existing collective bargaining agreements, as well as the rights of member states and of local authorities to require contractors to honour minimum conditions.

“Congress notes that the ECJ bases its decisions on the stated primacy of the principles of market freedom and rights of free competition and establishment as set out in EU Treaty. It also notes that this primacy is reaffirmed in the Lisbon Treaty, and in protocols attached to it, currently under ratification and that the Lisbon Treaty gives, for the first time, EU law full and final primacy over the law of member states.

“Congress further notes that the Secretary of the ETUC, John Monks, speaking at EU Forum on Workers’ Rights on 9 October 2008, called for the inclusion of a special 'Social Progress Protocol' in future Treaties, which would unconditionally defend collective bargaining rights and specifically the right of workers to withdraw their labour collectively as they should decide.

“Congress, therefore, instructs the STUC General Council to lobby the British Government, to ensure that such a protocol is inserted in the Lisbon Treaty, to give support to trade union-based campaigns in Britain and across the EU for such an amendment to the Lisbon Treaty, and to support the demand of trade unions in Ireland for such an amendment, prior to any second Referendum on the treaty.”

**Mover: Clydebank TUC**

#### **94. International Peace**

“That this Congress welcomes the election of Barack Obama as President of the USA and hopes that this leads to changes in USA foreign policy, and supports his pre-election promises to:

- work with Russia to take nuclear weapons off high-alert;
- withdraw US combat units from Iraq;
- enter dialogue with Iran without preconditions; and
- lift restrictions on travel and sending money to Cuba, and commitment to direct talks with the Cuban Government.

“However, Congress recognises the serious and ongoing threats to peace, including the:

- potential of the world economic downturn to increase international tension;
- absence of an effective strategy for withdrawal of international troops from Afghanistan;
- continuing failure to ensure Israel meets its international obligations in respect of Palestine; and
- ongoing US plans for a European missile defence shield system.

“Congress reaffirms its support for a lasting peace in the Middle East based on the creation of a viable Palestinian state with Jerusalem as its capital, and for a fundamental change in US policy in South and Central America, including an end to the boycott of Cuba.

“Congress calls on the UK Government to:

- reverse its decision to deploy a new generation of nuclear weapons on the Clyde and freeing long term resources to invest in the productive economy; and
- promote action at the United Nations and European Union towards a meaningful Middle East peace process.

“Congress calls on the General Council to:

- continue to support the Scottish Government’s Scotland without Nuclear Weapons Working Group;
- engage with Palestine solidarity organisations and civic Scotland to ensure the widest possible support in Scotland for justice in the Middle East; and
- continue to support the recognised Central and South American solidarity organisations to campaign for a change in US policy in that region.”

**Mover: Public & Commercial Services Union**

### **Amendment**

4<sup>th</sup> para, after 2<sup>nd</sup> bullet point, insert additional bullet point:

- “accept that UK citizens who were subjected to ‘extraordinary rendition’ should be allowed to return to the UK on their release from the Guantanamo Bay prison camp”.

Final para, at end, insert additional bullet point:

- “campaign to prove that the UK Government was complicit in ‘extraordinary rendition’ by assisting the US in its rendition policies in Iraq, Pakistan and Afghanistan.”

**Mover:                    Communication Workers’ Union**

## **95.    Gaza**

“That this Congress expresses its deep concern at the Israeli Government’s ban on foreign media workers entering Gaza to report on the recent conflict. When reporting is restricted in this way, it inevitably suggests that atrocities against civilians are being committed on a scale which the perpetrators wish to hide from the rest of the world.

“Congress salutes the courage of media workers in Gaza who continue to report on the situation there despite grave danger.

“Congress calls on the General Council to protest in the strongest possible terms to the Israeli, UK and Scottish Governments about this blatant infringement of freedom of the press and the attempt to manipulate media coverage by denying journalists access to Gaza. It further instructs the General Council to widen links with Palestinian trade unionists.”

**Mover:                    Edinburgh TUC**

## **96.    Ban on Foreign Media Workers Entering Gaza**

“That this Congress expresses its deep concern at the Israeli Government’s ban on foreign media workers entering Gaza to report on the recent conflict. When reporting is restricted in this way, it inevitably suggests that atrocities against civilians are being committed on a scale which the perpetrators wish to hide from the rest of the world.

“Congress salutes the courage of media workers in Gaza, who continue to report on the situation there, despite grave danger.

“Congress instructs the General Council to protest in the strongest possible terms to the Israeli, UK and Scottish Governments about this blatant infringement of freedom of the press and the attempt to manipulate media coverage by denying journalists access to Gaza. It further instructs the General Council to widen links with Palestinian trade unionists.”

**Mover: National Union of Journalists**

## **97. Palestine**

“That this Congress calls on the British National Government to condemn the Israeli aggression behaviour towards the Palestinians in Gaza and stop selling weapons to the Israeli Government.”

**Mover: Aberdeen TUC**

## **98. Palestine**

“That this Congress calls for humanitarian aid for the people of Palestine. We are appalled at the excessive and indiscriminate force used to attack what is the mostly densely populated open air prison in the world, Gaza City. The slaughter of innocent men, women and children is a crime against humanity.

“Congress also calls for the establishment of a genuine Palestinian state, where the people have control over their own economy and destiny. The state of Palestine should be in secure borders clearly defined by the United Nations. The agreed land of Palestine should be free from intervention from any other state, at any level, within the United Nations.”

**Mover: Glasgow TUC**

## **99. Palestine**

“That this Congress notes the difficult situation which continues to exist for the Palestinian people.

“Congress further notes that, in previous years, the issue of formally supporting a Boycott, Disinvestment and Sanctions Campaign against Israel has been the subject of detailed discussions at previous Congresses. Congress also notes that various trade union delegates have visited Palestine in recent years. In light of this previous focus on Palestine at Congress, it is agreed that the following steps are taken:

- Congress agrees to give clear support and commitment to the Boycott, Disinvestment and Sanctions Campaign against Israel, and requests that the General Council examines in detail the most effective ways for affiliates to become involved in the Campaign. Specifically, the General Council is requested, within a reasonably short timescale, to provide written guidance about the part affiliates can most effectively play in the Campaign; and
- Congress requests the General Council to publicise the work of Scottish Friends of Palestine and other solidarity organisations in Scotland, with a view to increasing trade union participation and membership of these organisations.”

**Mover: Kilmarnock & Loudoun TUC**

## **100. Histadrut**

“That this Congress notes the decision made at the 2004 Congress to remit the resolution critical of the Israeli Histadrut Trade Union organisation.

“Congress recognises that the following five years of cynical conduct by Histadrut to the plight of Palestinian workers and citizens necessitates that we examine our policy to Histadrut.

“Histadrut has never disapproved of the illegal Jewish settlements, nor the discriminations and humiliations undergone by the Palestinian workers, nor the non-respect of the International Conventions.

“Their silence during the eighteen-month siege of Gaza and the subsequent Israeli bombing of hospitals, mosques, schools and decimation of entire families is tantamount to being an accomplice to these atrocities.

“A union organisation has to strive for peace between the populations; otherwise it disavows its engagement. Congress, therefore, believes we cannot continue our acceptance of Histadrut as a member of the International Trade Union Movement.”

**Mover: Midlothian TUC**

### **101. Cuba**

“That this Congress notes that 2009 is the 50<sup>th</sup> anniversary of the Cuban revolution. As the anniversary year progresses, Congress congratulates the Cuban people on their achievements in health and education, and the examples they have set in international solidarity for the last 50 years.

“The eradication of illiteracy, free education for life, and the attainment of infant mortality rates and life expectancy on a par with rich countries have all been achieved against the backdrop of the largest and most inhumane blockade in human history.

“Congress condemns the illegal blockade on Cuba by successive United States administrations, and condemns the continued detention of the Miami 5.

“Congress recognises Cuba’s commitment to international solidarity which includes more than 37,000 health professionals working for free in 79 countries.

“Cuba has also provided substantial emergency aid to countries like Peru, Indonesia and Pakistan, and has provided 30,000 scholarships to students from developing countries to study in Cuba.

“Congress agrees to take the following steps in relation to support and solidarity for Cuba:

- launch a drive to increase membership of the Scottish Cuba Solidarity Campaign amongst affiliates;

- provide continuing support to the Campaign to secure the release of the Miami 5; and
- encourage affiliates to organise events and activities to celebrate 50 years of the Cuban Revolution during 2009.”

**Mover: Kilmarnock & Loudoun TUC**

## **102. Cuba**

“That this Congress notes that the new administration in the US Government is advocating change.

“Consequently, Congress agrees that the opportunity must now be taken to demand that the new US Government finally ends the illegal blockade of Cuba.

“The US Government must recognise that Cuba has the right to exist as an independent nation; that it has the right to trade freely; and that the people of Cuba must be free to choose their own method of government without duress or consequence from outside nations.

“Congress, therefore, calls upon the Scottish Government and the UK Government to make the necessary representations to the US Government, demanding that they immediately end their illegal blockade of Cuba.”

**Mover: Fire Brigades Union**

## **103. Swaziland**

“That this Congress notes with concern the current situation in Swaziland. In particular, Congress is concerned that:

- Swaziland still has an absolute monarchy which is noted for conspicuous consumption, not least of innumerable luxury cars. Other practices include choosing a new bride every year, now thirteen in all, evicting people from their land and selling off the assets of the nation.

- A constitutional document signed by the King upholds a ban on political parties and prevents the High Court from presiding over cases that have a bearing on the institution of the monarchy. The King retains the right to dissolve parliament and the cabinet, dismiss and appoint judges, and act as head of the police, the correctional services and the army.
- At the present time, the Swazi people slide further into hunger and disease. It is estimated that more than 69% of the population live in absolute poverty and an estimated 42% of adults between 19 and 49 are infected with HIV/Aids. It is also the case that over a quarter of the population is dependent on food aid.

“In response to the current situation in Swaziland, Congress agrees to support the work of Action For Southern Africa ( ACTSA) in campaigning for an improvement in the situation in Swaziland. Congress also notes the work of the Action For Southern Africa (ACTSA) as the successor organisation to the Anti Apartheid Movement. 2009 is the 50<sup>th</sup> Anniversary of the Anti Apartheid Movement and, in line with this Anniversary, Congress agrees to circulate affiliates to make them aware of this significant Anniversary and the ongoing work of ACTSA.”

**Mover: Irvine & North Ayrshire TUC**

#### **104. Withdrawal of UK Forces from Afghanistan**

“That this Congress notes the BBC UK opinion poll conducted in late 2008, which revealed that 68% of all respondents supported the proposition that our armed forces should be withdrawn from Afghanistan within the next twelve months, rising to 75% among women and young people aged 18-24.

“Congress believes that this military operation, costly in terms of the lives of our service personnel, of Afghan civilians and of finance, has done nothing to enhance our national security.

“Recognising the professionalism and bravery of armed forces is being fruitlessly squandered, Congress, therefore, resolves to campaign for the withdrawal of our armed forces from military operations in Afghanistan.

“Congress also calls upon NATO and its other partners to organise a withdrawal from Afghanistan and allow the whole international community the space to help progressive forces in Afghan society rebuild their country in accordance with the principles of self determination laid out in the United Nations Charter.”

**Mover: South Lanarkshire & East Kilbride TUC**

### **105. Opposition to Trident**

“That this Congress reaffirms its opposition to the Trident submarine missile system. With a contracting economy, a ballooning national debt and no significant external threat, it is quite irresponsible to squander £25 billion on building new weapons of mass destruction. The STUC should seek to influence MPs and the Government, to demand a debate and vote at Westminster before any further decisions on Trident replacement are taken.

- NATO was formed in 1949 as a military alliance of the strongest states of Western Europe and North America. With the collapse of the Soviet Union and the ending of the Cold War, there was a clear opportunity to dismantle the alliance and create a new atmosphere of peace and co-operation across Europe.
- Instead, NATO has been expanded into several former Soviet states and former parts of Yugoslavia, effectively encircling Russia with potentially hostile military bases. Missile defence components are being placed in the Czech Republic and Poland and are perceived as a thinly veiled attempt to gain US strategic superiority. The sensitivity with which this is viewed by Russia can be seen from the recent short war in Georgia/South Ossetia.

“Congress, therefore, calls on the British Government to:

- cancel the programme of Trident replacement and work with the Scottish Government and others to develop a planned programme, to diversify Scotland’s economy away from Trident;

- halt the expansion of NATO and oppose any moves to recruit Georgia or Ukraine to NATO membership;
- end Britain's involvement in the Missile Defence programme by closing Menwith Hill and Fylingdales, and oppose plans to place x-band radar in the Czech Republic and interceptors in Poland; and
- urge President Obama to negotiate with Russia, to secure deep bilateral cuts in the nuclear arsenals of the United States and Russia as a prelude to a multilateral Nuclear Weapons Convention, and a global ban on all nuclear weapons."

**Mover: Clydebank TUC**

### **Amendment**

After final para, insert additional para:

"Congress believes plans to establish additional missile defence systems in Europe will increase the threat to peace, and urges the UK Government to allow a full parliamentary debate on the issue and use the opportunity presented by the change of US President to press for a change in this policy."

**Mover: National Union of Rail, Maritime and Transport Workers**

### **106. Trident**

"That this Congress notes that the new Labour Government seems committed to replacing the Trident nuclear weapons system with a new generation of nuclear weapons. Congress notes that this replacement will be at huge cost in the years ahead. Congress also notes that there will be some important parliamentary voting and discussion on this issue during 2009. Congress, therefore, agrees that the following steps should be taken:

- request the General Council to co-ordinate and produce publicity aimed at encouraging individual trade unionists to raise the issue of Trident replacement with MPs; and
- request the General Council to work with affiliates in continuing to make the case against Trident replacement.”

**Mover:                    Kilmarnock & Loudoun TUC**

## **SECTION 10**

### **SCOTTISH DEMOCRACY**

#### **107. Black Representation in Scottish Politics**

"That this Congress is appalled that, despite ongoing debates and a strong lobby to ensure a level playing field for Black political activists to progress their political careers, just one person from a Black and Minority Ethnic background has made the quantum leap into MSP status.

"Congress agrees that a key part of the STUC General Council and its Black Workers' Committee work plan should be to address this inequality. At the heart of this work plan has to be sustained campaigning among affiliates and all political parties, and the use of trade union influence to increase the number of Black political candidates. Congress, therefore, calls on the STUC to co-ordinate a campaign with its Black Workers' Committee, to increase Black representation in the Scottish trade union movement and in civic society across Scotland.

"This campaign must include action at every level within all affiliate unions, e.g:

- affiliates need to do much more to attract Black workers into trade union membership by being actively visible and specifically relevant to their needs;
- affiliate unions must encourage current Black union members to take part in their democratic processes and structures; and
- Black union members themselves have to play their part in engaging within their communities and their trade unions, but must not have to overcome discriminatory barriers and hurdles, in order to freely make their contribution to society.

"Political parties have a duty to work with the unions to establish and maintain the links needed, so that they are able to tap into the potential of the many and able Black Scots, who will become tomorrow's leaders in government."

**Mover: Annual STUC Black Workers' Conference**

## **108. Anti Trade Union Laws**

“That this Congress, in light of the fact that it is highly unlikely that the UK Labour Government will repeal the anti trade union laws, calls for employment law to be devolved to the Scottish Parliament, in order for the Scottish Parliament to consider, in consultation with trade unions, a fairer and more just legislation to be created for Scottish workers.”

**Mover: Fire Brigades Union**