

Employment practices review

From:
Sent: 09 May 2017 09:07
To: Employment practices review
Subject: Attendance details request Norwich meeting

Follow Up Flag: Follow up
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Hi Mathew Taylor Review

Could you inform me of meeting details in Norwich on May 10th.

I wish to attend and expose the gross failure of successive governments to implement both the word and spirit of the agency workers directive in the light of recent tribunal decisions which abuse not just the commonsense definition of what is and is not temporary and takes advantage of employment practices prior to the 2010 Equality act and implementation of the regs in Oct 2011

Such interpretation failed to recognise agency workers status at due date of implementation and retrospectively adjusting their status...re the 12 weeks had already been served and not allow legal rulings to use previous employment to assert that they are at present being permanently employed as temporary workers .. it breaches the common understanding that temporary is defined by the term short term re of short duration securing peaks and troughs and should not in any way be confused with the term of what is or is not permanent and which at present risks the breach of any legal redress and promotes the judgement that the law is somehow not neutral between claimants and respondents and is in the pockets of those with power re the employer of labour.

We now have the ludicrous situation in which workers employed there have service records with the company of nearly 20 years duration buet with no recognition of their value by the host company .

The recent case of Jones V Birdeye for the said company to avoid the costs involved in implementing it by setting up an in house flexible contract without agreement so as to establish a false comparator with agency workers employed there re the case was based on legal avoidance and failure to equal pay for equal work

Re the host company had full control via a variation of zero hours with no guarantee of weekly shifts with only an annual 400 hours and establish a false comparator presently covered via case law approval.

The union did consider taking the case to appeal but despite a recognition of injustice decided not to keep the case 'live' after securing legal advice that as case law stands there was little hope of securing a successful outcome and legal redress on behalf of 87 employees.

This has now led the company to further its current practice prior to Oct 2011 to displace higher wage core and replacement with exploitative contracts of lower value to the worker and lower costs to the company.

In the round the workers employed and community suffers reduced incomes and only fulfils short term profit for the individual company at the expense of real productivity gains and gives legal cover for bad practice and encourages exploitation at variance with business responsibilities to working people.

I can provide further evidence of the case and the fact that despite equality of treatment and anti discriminatory measures that we now have employment practices which skew such social objectives and thus could be described as socialised hypocrisy re formal rights entailing no enactment and implement in the real economy.

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