

The Uber of trade unions

THE UK courier industry is “the ideological manifestation of Tory ideology... supposedly the marketplace will allow the best people to earn lots of money because they’re worthier” or “have more stamina... can cycle faster... or whatever.” But while riders are told “self-employment is freedom... no one feels liberated when you’re earning less than the National Living Wage.”

Mags Dewhurst, bike courier and chair of the Independent Workers of Great Britain (IWGB) Couriers and Logistics Branch, told LFB’s precarious work conference how they won a crowdfunded Employment Tribunal case against CitySprint. She won holiday pay. She described the IWGB as a “small, obnoxious, diverse, low-income union: we use volunteers, I’m one of them... We’re the Uber

of trade unions... we disrupt.” In courier companies, “there’s a pecking order” with a few riders “brown-nosing the managers... they think they’re earning more, they’re not... We had to get the others, who are pissed off. Got loads of people together, had a meeting, voted to join a union, half the people were like ‘I don’t want to do it, it’s scary... We’re going to get fired if we join a union.’” But as Mags put it, “We’re going to get fired anyway,” for being late, using the radio wrongly, losing a package. “People have so little to lose that it’s not such a big deal” to take action. “When you are managed by a smart phone and log in and log out, if everyone decides to log out at the same time it’s quite effective!”

With a public street protest planned against CitySprint for just

before Christmas, Mags “got an automated email” announcing an “arbitrary pay rise,” the first in 20 years. Other companies then couldn’t use the argument that CitySprint are driving costs down: they “caved in... virtually every cycle courier in London has received a pay rise as a result of what we’ve done.”

Bike couriers “are bogusly contracted as independent workers.” IWGB have three more courier cases pending. They’re taking Deliveroo to court over “bogus” employment status, “to get collective bargaining and go on recognised strike.” Foster carers have also set up own branch of IWGB after seeing the struggle of Mags and colleagues on the BBC. Mags ended with an appeal to “join us on the streets” via @IWGB_CLB.

© Matt Salusbury



Mags Dewhurst
Photo © David Hoffman

Mamma Mia – time for a fight scene

THOSE in the performing arts “have always been in the gig economy,” says Nicola Hawkins, an Executive Committee member in actors’ union Equity. At LFB’s event on precarious work, she described a “low pay and no-pay industry... the fringe getting worse... 80 per cent are earning less than £20,000 a year” and gave an invigorating presentation of the fight scenes.

An actor, musician, promoter, temp, lifeguard for a bit, Nicola recalls being handed a two-page contract while in the ensemble with *Mamma Mia* in the West End. Her “first professional job” had been

working in a bank, issuing contracts, so she read it – and discovered it referred to book-sized West End Agreement, which included stuff she’d not been told about like being paid to attend a costume fitting.

After getting “angry” about the rights of actor-musicians, in some cases effectively doing three jobs, she was headhunted as an Equity deputy (rep) by activists and “started to understand what collective agreements were.” She set up the “Ensemble” Facebook group for musical performers. Thanks to her efforts and colleagues’ 175 productions have now signed up to Equity’s “fringe

contracts”, meaning hundreds of millions more in wages. There’s been some “good negotiation”, with a “12 per cent pay rise for our members on tour in the next few months”. Equity has grown by a thousand members a year to its current 40,000, helped by “nurturing student and graduate members”.

When Equity knock on the door, “disorganised employers know something is wrong.” Pointing out that they don’t want to go to court is usually enough to get them to say, “OK”. Employers now believe her when she threatens a walk-out,

© Matt Salusbury



Nicola Hawkins
Photo © David Hoffman

It’s time to legislate for decent employment rights for all

NUJ FREELANCE Organiser John Toner, speaking at the LFB’s precarious work conference, said that as a trade union official he’d “always worked for the precariat, only we just call them freelancers.” Freelance journalism has “existed since journalism began. Sunday papers would never have existed without casuals,” many of them defined by that oxymoron “regular casuals.”

But in the 16 years that John’s been Freelance Organiser, “I’ve seen the number of queries about employment status go from a trickle... to almost every day.” We’re increasingly witnessing “false freelancing”, where it can be shown that someone has the legal status of “worker” – they can demonstrate mutuality of obligation, and a degree of control and supervision. John gave examples of cases he has taken to court.

One newspaper columnist who had no contract for 10 years was let go. She was horrified to find she had

no employment rights, no redundancy entitlement.

Another freelance worked for the *Telegraph* every Saturday for many years, also with no contract. At the start of the year he was expected to write into the *Telegraph* diary the nights he wouldn’t be there, when he planned to be on holiday. He was also subject to supervision. An Employment Tribunal ruled he was an employee not just a “worker” and he got pension rights.

A racing reporter showed John his letter of engagement, which directed him to go to races on Mondays-Thursdays, for which “we’ll pay you X, Fridays, go to the racecourse, write a report and a preview for Saturday’s race, we’ll pay you Y.” As he had no supervision while at the races, our correspondent was “ruled not an employee but a ‘worker’... he got years of holiday pay, thousands.”

It is hard to prove in such cases that management are obliged to pay

freelances and that they’re obliged to turn up. John has taken cases where colleagues have been sitting next to each other doing exactly the same work for ten years, yet one is ruled an “employee” and the other isn’t.

In 2005, the International Federation of Journalists adopted a Freelance Charter. Its Clause 5 states: “a fake or forced freelance who is economically dependent should be treated as an employee... with rights.” The European Parliament has adopted a draft of the European Pillar of Social Rights, which addresses these issues – sadly, just as the UK prepares to leave the EU.

The UK government is holding an inquiry into the self-employed, while the TUC has adopted a resolution declaring that “the rules of employment status should be modernised... the same decent floor of employment rights” should be enjoyed by the self-employed too.

© Matt Salusbury



John Toner
Photo © David Hoffman

(at left) Ursula Huws
Photo © David Hoffman