

Pre-Registration Form

Free entry, but registration required

**The New Spectre Haunting Europe:
The ECJ, Trade Union Rights and the British
Government**

**Saturday 28th November, 10.00—4.00pm
Congress House, Great Russell St, London WC1**

A joint SERTUC and IER Event

Name _____

Union _____

Email _____

Address _____

Phone _____

Workshop Preference (*please tick one*)

Industrial Manufacturing
Transport Public Services

Please return to IER, the People's Centre, 50-54 Mount Pleasant, Liverpool L3 5SD or email office@ier.org.uk or Fax to 0151 702 6935

SERTUC
the TUC in London, the
South East and Eastern Region

**THE
INSTITUTE
OF
EMPLOYMENT
RIGHTS**

Free Conference

**The New Spectre Haunting Europe:
The ECJ, Trade Union Rights &
the British Government**

Saturday 28th November, 2009

10.00am — 4.00pm

Congress House, Great Russell St, London WC1

Speakers include

Prof. Keith Ewing

John Hendy, QC

Sarah Veale

Bob Crow, RMT

Billy Hayes, CWU

Brian Caton, POA

John Monks, ETUC

Phil Davies, GMB



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About the conference

Nearly two years ago, trade unions faced four hostile decisions from the European Court of Justice. Those decisions – in the *Viking*, *Laval*, *Ruffert* and *Luxembourg* cases - struck at the very heart of trade union activity. They attacked the right of unions to take strike action in support of jobs. They undermined collective bargaining by preventing industrial action in defence of pay and conditions above minimum standards set out in the Posted Workers Directive.

Since then, the implications of those hostile European decisions have been played out in a series of UK disputes. First, BALPA was threatened with bankruptcy when BA brought legal proceedings against planned strike action to prevent the export of jobs. Then national agreements covering UK oil refinery workers at East Lindsey were threatened by the employment of Italian workers under the Posted Workers Directive. More generally, employers are using both the recession and reference to the hostile decisions of the ECJ to undermine terms and conditions and prevent unions fighting back.

Nor does the future look any brighter. If the Lisbon Treaty is forced through, the powers of the ECJ – used so aggressively in favour of employers in recent years - will grow still further with devastating implications for unions. Maintaining terms and conditions on major construction sites like the Olympics will be a struggle. Union campaigns like those for a living wage or for progressive procurement policies will increasingly be challenged.

So how should unions and their members respond? What are the political, legal and industrial options open to unions and their members? Unions are pushing politically for changes to EU and UK laws. Lawyers are looking at ways to challenge the direction of the ECJ through the ILO and the European Court of Human Rights. But can workers wait? Examples of workers ignoring restrictive laws and fighting back in defence of pay and jobs are already spreading - and winning.

This conference, organised around the 2nd anniversary of the initial ECJ decisions, aims to bring workers together with sympathetic academics and lawyers to share information, learn from each others' experiences and plan for a better future.

Organised jointly by SERTUC and IER, the conference will offer a FREE day of lively debates in breakout sessions and full plenary discussions. Come and join us!

*Chaired by Carolyn Jones (IER) and
Megan Dobney (SERTUC)*

Draft Programme

Overview by Keith Ewing

Workshops

The impact of ECJ Cases, by Industrial Sectors

Workshop A: Construction

Contributors include Barry Camfield, previous AGS TGWU
now an ODA Board Member

Workshop B: Manufacturing

Contributors include Phil Davies, GMB

Workshop C: Public Services

Contributors include Billy Hayes, CWU and Brian Caton, POA

Workshop D: Transport

Contributors include Bob Crow, RMT

European Case Study

Policy Possibilities at the European level
John Monks, ETUC

Domestic policy proposals in the UK
Sarah Veale, TUC

Time to change course?
John Hendy, QC

Details of additional speakers to be announced