

Introduction – The current landscape:

The UK is experiencing shifts in workers' rights in practice, in terms of a dramatic expansion of the gig economy, the impact of TUA 2016, and the potential impact of an exit from the EU. However there are also major fight back in terms of organised campaigns. 8,000 women recently marched for equal pay in Glasgow, which is a great achievement. The McStrike and TGI Friday's campaigns have been very hard hitting. Also the equal pay for equal work campaigns at major supermarket chains, and the local campaign 'Time for ten' – to make Liverpool a minimum £10 an hour city, have been raising much needed awareness of exploitation in sectors which are not traditionally well organised. The popularity of the institute of employment rights 'The Manifesto for Labour Law' proposals for reform ****all in this book**** have continued to climb. The Labour Party continues to refer to it as their blueprint for workers' rights, which is something we are incredibly proud of.

- At the start of the year the government responded to the Taylor Review but offered little substance in its Good Work Plan, in which the major decisions - such as how employment status should be reformed - were deferred via further consultations.

- More recently, the government has announced further mealy-mouthed policies, including a right for workers to keep their tips. It was also announced that the government will 'consider' imposing a duty on employers to consider whether or not a job can be performed flexibly, in order to help parents and carers stay in work. This is only a tiny step away from workers' current right to request flexible working, and remains a far cry from the right to access flexible work. Lastly, the government will consult on its proposal to require companies with 250 staff and over to publish their parental leave policies, but has offered no promise to actually improve on current parental rights, which lag behind many other developed economies.

- It is clear that the government is not reacting quickly to the challenges of the gig economy or to end exploitation of workers in the UK.

More progress is being made by the labour movement, which has seen the rise of gig economy workers against their conditions of work. McDonalds and TGI Friday's workers have both organised across branches, among young people and precarious workers, and captured the interest of the media in a way that is revolutionary in the movement. Those workers who were traditionally difficult to unionise are now flocking towards the movement for protection. Deliveroo and Uber Eats couriers are also taking action, including protests on the streets

of London and an appeal to the Central Arbitration Committee to create a collective bargaining unit.

- At a legislative level, the Labour Party is also going much further than the government in tackling an increasingly casualised and fragmented workplace, adopting many of the key recommendations of the Institute of Employment Rights' Manifesto for Labour Law, including reinstating sectoral collective bargaining, establishing a Ministry of Labour, and providing day one rights to all people in employment.

- The first reporting deadline for the gender pay gap reporting came about this April, but as suspected a substantial proportion of eligible employers did not comply with the law, which does not have any effective enforcement strategy associated with it. Among those who did comply, the average gender pay gap was almost 20%. Employers were not required by law to take action. Also there seems to have been some employers who had the worst gender pay gap, seeking to protect their reputation by removing their company's figures, which is scandalous, and hardly in the spirit of transparency and equality.

- Again, it falls to the labour movement to find a remedy to this situation and one way in which it has done so is in the form of a series of claims against major supermarket chains, which argue that majority female shopworkers are paid less for work of an equivalent value compared to majority male warehouse workers.

- There has also been bad news for care workers this year, after the Court of Appeal ruled in a case brought by Mencap that carers are not working during sleep-in shifts and are therefore not eligible for the minimum wage. This overturns a previous decision that sleep-in shifts fall under the definition of work, which had been fought tooth and nail by care providers. Thousands of workers have lost the opportunity to claim backpay for hours worked on sleep-in shifts below the minimum wage and they will continue to be paid as little as three pounds an hour for staying at work overnight.

- Of course, the largest uncertainty hanging over UK employment law continues to be an exit from the EU. The government has refused to guarantee in law that workers' rights will not be weakened after the UK leaves the EU and there have been concerns about the possibility of losing equality laws and the Working Time Directive under a Tory government. These fears are further compounded by the prospect of negotiating new international trade deals,

which may lead the UK government to lower standards to those of trading partners rather than insist that trading partners improve their standards to meet ours - particularly following Theresa May's promise to American investors that a post-EU exit UK will be "unequivocally pro-business".

- But An EU exit need not threaten workers' rights in the right hands. The break from the constraints of EU law also opens up the opportunity to build upon the minimums put in place by Europe to create a stronger and more secure workforce and roll out sectoral collective bargaining across all industries. This is the strategy put forth in the Institute's Manifesto for Labour Law and an option being considered by the Labour Party.

- the UN's Special Rapporteur for human rights and Poverty, Philip Alston, is currently touring the UK to write a report on the impact of austerity. This will be just as important for those who are jobless in poverty, as it will for those who are suffering from in-work poverty.

- the govt are considering reintroducing ET fees – despite UNISON's brilliant victory against them, they are flying kites about reintroducing them again, at a lower rate, which will not eliminate all the problems that fees cause on access to justice at work. The permanent secretary for the MOJ has already told the select committee they are looking at proposals for this.