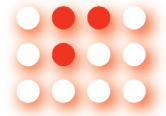
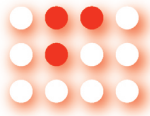


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TUC advises on what to do in bad weather

With the weather deteriorating day by day and more snow and ice forecast around the UK, the TUC has called on employers not to force staff to make dangerous journeys into work in the bad weather.

The TUC says that while workers should make every effort to get in where they can, bosses shouldn't force their staff to travel if it's not safe to do so – particularly if they live in rural or isolated areas.

The TUC is urging employers to draw up bad weather plans so staff know what is expected of them.

A bad weather policy should set out:

- what staff should do when snow, ice and/or a lack of public transport prevents them getting to work; and
- what parents should do if schools close and they have no alternative childcare.

In addition, employers should not to withhold pay from staff or make them take holiday as this is not fair and could be unlawful. In principle, an employer can refuse to pay an employee who does not appear for work because of severe weather such as heavy snow.

However, while the letter of law says one thing, common sense dictates a more pragmatic approach. Staff morale and the reputation as a good employer may benefit in the long run if staff are paid on snow days.

It's vital to keep workplaces safe and warm enough during the cold weather. The indoor temperature should normally be around 22°C in most workplaces, the TUC said, but the absolute legal minimum is 16°C (or 13°C if much of the work indoors involves severe physical effort).

Employers have to ensure that workers are not working outdoors in very cold weather unless absolutely necessary, and even then, only if they have suitable clothing.

Employer should make sure that entrances to workplaces are thoroughly gritted and are not slippery.

TUC general secretary Frances O'Grady said: "When the snow causes problems on the roads and trains it is common sense for bosses to let their staff work from home rather than struggle with a lengthy and potentially dangerous commute.

"No one should be made to put their health at risk to get to work or be punished by losing pay or holiday when they can't get in because of the weather."

www.tuc.org.uk/news/tuc-calls-bosses-not-force-staff-make-dangerous-commutes-snow
<https://www.personneltoday.com/hr/winter-weather-work-five-common-employer-queries/>

LABOUR RESEARCH DEPARTMENT

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Time 'on call' counts as working time

Time spent "on call" by workers or employees carrying out duties outside of their workplace is to be counted as "working time" – even if the worker is not actively engaged in work at the time – the Court of Justice of the European Union (CJEU) has ruled.

The advocate general considered the case of Rudy Matzak, a volunteer firefighter of the Nivelles fire service groups in Nivelles, Belgium.

Volunteer firefighters are involved in operations, standby services and other duties at the fire station, which are arranged by roster at the start of each year. They are paid an annual allowance for their standby work.

In December 2009, Matzak brought judicial proceedings against his employer for a failure to pay sufficient remuneration for his services as a volunteer firefighter during his years of service. In particular, he claimed that his standby services should be categorised as working time.

The court was invited to consider whether volunteers should be categorised as workers and included in regulations under the directive, which lays down minimum health and safety requirements for working time, such as daily and weekly rest periods and annual leave.

The CJEU established that Matzak was a worker. Although he held a voluntary, rather than a professional, status in his country, this did not affect his definition as a worker according to case law. The nature of an employment relationship under national law cannot determine whether or not the person is a worker under EU law.

The court was also asked to rule on whether Matzak's standby work should be considered to be working time under the directive, despite his being at home while on call, "given the constraints on the worker at the time preventing him from undertaking other activities".

It found that, if the standby period – in the form of physical presence at the place of work – were excluded from the concept of working time, it would seriously undermine the objective to ensure workers' safety and health by granting them adequate rest periods and breaks.

While Matzak spent his standby duties working at home, he was obliged to respond to calls from his employer within eight minutes, and to be physically present in the place determined by his employer.

Under such circumstances, it was impossible for the worker to choose where they wanted to be at that time, rendering the working hours within the worker's normal working duties, the CJEU said.

The obligation to remain physically present at the place the employer determined – and the geographical and temporal constraints resulting from the need to reach his place of work within eight minutes – objectively limited the opportunities that a worker in his circumstances had for his own personal interests, the court found.

<http://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1395932669976&uri=CELEX:62015CJ0518>

<https://www.peoplemanagement.co.uk/news/articles/on-call-standby-shifts-working-time>

Workers' pensions should not be a lottery

For most of today's workers, their ability to provide for themselves in their old age is a lottery, the TUC argues in a new report.

Fixing the retirement lottery sets out the flaws in the current system. These are:

- the employment lottery that means that workers in some sectors have decent provision, while in many others large numbers are excluded from pensions or receive very little;
- the investment lottery that means that someone who retires in a good year for investment markets can be many thousands of pounds a year better off than an otherwise identical saver who leaves in a bad year; and
- the risks for individuals of a retirement income system that provides no clear route for securing a lifetime income.

The report sets out a range of policy options for government to consider including:

- greater urgency in implementing agreed reforms, such as the move to calculate pension contributions from the first £1 of earnings;
- bringing more low earners, especially women, into the pensions system by abolishing the £10,000 earnings trigger for automatic enrolment;
- the need for government to set out a route map to improve contribution rates over the long term;
- changes to pensions regulation to make it easier for defined benefit schemes to remain open;

- introduction of regulations to allow Collective Defined Contribution pension schemes;
- a crackdown on costs in pension schemes by ensuring that charges are transparent and pension schemes have the scale and power to drive down prices; and
- the introduction of default pathways at retirement, to make it easy for retirees to secure a good standard of living in old age.

Even though the primary focus of the report is on workplace pensions, the TUC is not content with state pension provision, which is the least generous in the developed world according to OECD data. In fact, the TUC argues it remains the case that improvements to state provision are the most effective means of countering inequalities such as those between men and women.

The TUC is to continue to lobbying hard for an improved state pension. The maintenance of arrangements that ensure that this rises by at least 2.5% a year – the triple lock – is one tool that can gradually improve its value, it says.

www.tuc.org.uk/sites/default/files/Fixingretirementlottery.pdf

Economic growth for 2017 revised down

The UK economy did not grow as fast as first thought, official figures show.

The UK economy, as measured by gross domestic product (GDP), grew by 0.4% in the final quarter of 2017, revised down from the preliminary estimate of 0.5% growth.

Services and production increased in the fourth quarter 2017, while construction fell for the third consecutive quarter.

Compared with the same quarter a year ago, GDP increased by 1.4% fourth quarter of 2017, which is the slowest rate since the second quarter of 2012.

Revisions to other quarterly growth rates in 2017 have led to a downward revision to annual growth in 2017, from 1.8% to 1.7% – the slowest rate of annual growth since 2012.

The continued strength of manufacturing, which grew by 1.3% in the quarter, was the main driver for production output increasing by 2.1% in 2017 – the strongest annual growth rate since 2010.

<https://www.ons.gov.uk/economy/nationalaccounts/uksectoraccounts/articles/monthlyeconomiccommentary/february2018>

Above-inflation rise in childcare costs

Parents with children aged under two have seen a big rise in childcare costs, a survey finds.

Last year saw a significant, above inflation increase in the prices charged by nurseries in England, the Family and Childcare Trust said. This increase for England comes after several years of below-inflation rises: the overall increase for England last year was 0%. Inflation overall was higher in 2017 than in 2016.

Prices in Scotland were not significantly changed. However, prices in Wales increased markedly: the trusts believe this is in part due to new requirements on Welsh local authorities for assessment of their childcare sufficiency in 2017.

The Family and Childcare Trust's annual survey found that a typical part-time nursery place for a child under two rose by 7% in a year and it now costs £122 for a 25-hour week at nursery. That works out at £6,300 a year.

The cost of a typical nursery place for a child aged two rose by 6% to £119 a year, that is around £6,200 a year.

In England, the cost rose by 7% to £125 a week for a child under two and by 7% to £121 a week for child aged two.

In Scotland, the cost fell by 2% to £110 for a child under two and was unchanged at £109 for child aged two.

In Wales the cost rose by 15% to £116 for child under two and by 13% to £116 for a child of two.

Following the rollout of new support schemes in 2017, most parents are now entitled to some help with childcare costs – but the confusing hotchpotch of seven different types of support means parents are at risk of missing out on the help they need.

Many working parents using the new tax free childcare and the 30 hours free childcare offer for three- and four-year-olds will be spending less on childcare this year, but savings could dry up quickly if prices continue to rise at the same rate.

Worryingly, families with lower incomes and younger children are the ones who are most likely to be

squeezed by the price surge. The highest prices for childcare are for the youngest children between the end of paid parental leave and the child turning three – and that's when the least financial support is available to parents. Parents with children under three on lower incomes will not be receiving additional support this year through tax free childcare and so are likely to see their childcare costs rise.

Lower income families also risk being worse off working more hours. They can get help with childcare costs through the benefits system, but the average cost of a full time nursery place significantly outstrips the maximum support available by £60 each week.

Ellen Broomé, chief executive at the Family and Childcare Trust, said: "Childcare is as vital as the rails and roads, it supports parents to work, boosts children's outcomes and provides our economy with a reliable workforce. Too many parents remain locked out of work by high childcare costs and low availability.

"New government investment is welcome, but this year's childcare price surge shows that without root and branch reform, many families will be left just treading water."

The trust's annual survey sets out several short-term actions government can take to support parents to work. These are:

- provide start up grants and responsive funding for childcare providers to increase the availability of childcare places and meet the needs of disabled children;
- increase the maximum amount of childcare costs that are supported by universal credit in order to make sure parents are better off for every extra hour worked, and change to up front payments so that parents can afford to move into work;

- extend the 30 hours offer to parents undertaking training to make sure childcare costs do not prevent parents from developing the skills and employability that drives social mobility;
- improve access to early education for disadvantaged children by doubling the early years pupil premium; and
- monitor what effect new funding (tax free childcare and 30 hours) is having on childcare prices and whether it is helping parents into work and narrowing the attainment gap.

<https://www.familyandchildcaretrust.org/childcare-prices-surge-double-rate-inflation-undermining-government%E2%80%99s-new-investments>

No end in sight to UK's pay squeeze

Britain is increasingly becoming an overworked and underpaid nation. Almost eight out of 10 workers believe they will be poorer over the coming year as the cost of living crisis intensifies, a new report by the Centre for Labour and Social Studies says.

The findings are revealed in a survey of 2,000 workers. It also found that three-quarters believed the economy was not working for them.

Wage stagnation is now pushing workers to breaking point, with one in five (20%) working households having taken on a second job to make ends meet, and a further 20% who are seriously considering it.

The study found alarming levels of worker stress across many sectors due to mounting personal debt and longer hours with less pay.

<http://classonline.org.uk/news/press/workers-realities-press-release>

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