

11 December, 2013

Dear University of London, Balfour Beatty Workplace, and UNISON London Region management,

As it is becoming increasingly difficult to distinguish between your three organisations, this letter is addressed to all of you. If you feel the need to respond, you might find it more efficient to issue a joint response than to put out three separate statements of near identical content.

Although there is plenty to say to each of you regarding your treatment of the outsourced workers at the University of London, my comments in this letter are restricted to the manner in which you have tried to spin the workers' recent victory on terms and conditions. As you know, the evening of 28 November, 2013, after BBW employees were on strike for two days, the University of London and BBW announced improved sick pay and holidays for BBW employees. BBW and the University of London attributed the improvement to UNISON. The University of London even tweeted: "Yes great result for UNISON The voice of moderation and constructive two way dialogue succeeds over aggression". The next day, BBW managers and supervisors handed out UNISON fliers to cleaners and porters in Spanish and English, telling them that UNISON was "delighted" to announce the new deal. Also on the 29th, the University of London tweeted a link to an article about the strike in the Independent, and wrote: "#3cosas credit goes entirely to BBW and UNISON for the agreement. Constructive dialogue vs. staff intimidation". Finally, UNISON topped off the spin-fest with a press release claiming credit for the concessions (read it here: <http://www.unison.org.uk/news/articles/unison-secures-ground-breaking-deal-for-university-cleaners>). Ruth Levin, a paid UNISON "organiser" even went as far as to say: "Our members and stewards have always been very clear about what they need to improve their working lives... ..But now they can hold their heads high, they had faith in their union to deliver and we did." If your tweets, fliers, and press releases were limited to the usual self-congratulatory propaganda we see from you every time the London Living Wage increases, I probably wouldn't have taken the time to write you this letter. However, the public manner of your extremely misleading statements, your unapologetic attempt to re-write history, and the utter hypocrisy of your claims and accusations, do merit a response.

Perhaps we should begin by refreshing your memory as to why outsourced workers decided to leave UNISON. In the spring of 2011, the UNISON Senate House branch was dead. There were a handful of University staff on the committee which met once per month to discuss conferences, the Christmas social, and other pressing industrial matters. UNISON, to its credit and albeit with a fair amount of external help, financed and organised English classes and initiated a London Living Wage campaign. These formed the basis for a massive recruitment drive among outsourced cleaners and porters which saw union membership for

these workers sore from under 20 to over 100 in a matter of months. Although the English classes continued, support for the Living Wage Campaign eventually dried up. The workers continued however, and went on to win the Living Wage in July of 2012. Of course you don't need reminding that the University of London implemented the London Living Wage, as you remind the public of it at every opportunity possible. In fact, the three of you have since told us that you are responsible for the Living Wage, and that it really had nothing to do with the cleaners banging on drums at Senate House. In the summer of 2012, outsourced workers decided that the London Living Wage was not enough for decent employment, and that they should fight for sick pay, holidays, and pensions on par with direct employees. From September, 2012 a group of workers started to meet up once per week to plan and execute what has become one of the most high profile outsourced workers' campaign in the UK today. The workers called their campaign 3 Cosas.

Despite receiving support from a number of local UNISON branches as well as from officials at UNISON's national head office, the campaign never received support from the leadership of the workers' own branch nor from our friends at UNISON London Region. When it became clear that the lack of official support was having a negative impact on the campaign, outsourced workers' reps (who were UNISON stewards at the time) presented motions at a November, 2012 committee meeting to support the campaign politically and financially. With encouragement from a London Region official, the UNISON branch leadership didn't allow the vote, and official support was blocked. After this the outsourced workers seriously considered leaving UNISON. They decided, however, to participate in the upcoming branch elections instead. Joining forces with a number of UNISON members who worked directly for the University of London, they put together a slate of pro-3 Cosas candidates. The main campaign pledge was to support the 3 Cosas Campaign. I wouldn't want to bore the three of you with all the details and irregularities of the election (for more on which see this article in the London Review of Books blog: <http://www.lrb.co.uk/blog/2013/04/09/harry-stopos/miembros-no-numeros/>). However, there are two points worth highlighting. First, right off the bat half of the outsourced worker candidates were disqualified on technicalities, by none other than Ruth Levin (the person quoted in the UNISON press release above). Second, and despite (or because of) the fact that we are quite confident on the election results, the ballot was annulled, again on technicalities (I know it sounds surreal, but give that LRB article a read for more information, or the following: <http://bloombsburyfightback.wordpress.com/2013/04/03/unison-vs-the-workers/>, <http://www.workersliberty.org/story/2013/04/10/unison-officials-sabotage-democracy>, <http://roarnews.co.uk/wordpress/?p=3425>). This is when the workers decided to leave UNISON once and for all.

The three of you are always quite quick to attribute any improvement in outsourced workers' wages, terms, and conditions to negotiations. Of course, negotiations should play a role in any industrial dispute (more on which below). However, it might be worth highlighting a few other things which happened in the past 15 months which I would guess

had something to do with the recent decision of University of London and BBW. First, outsourced workers, together with their student supporters, staged a series of loud and disruptive protests at Senate House (see this article in Times Higher Education: <http://www.timeshighereducation.co.uk/news/university-of-london-protest-seeks-rights-for-outsourced-workers/2001333.article>; coverage by City News: <http://www.youtube.com/watch?v=cnbDhdZWvik&feature=youtu.be>; article in the Independent: <http://www.independent.co.uk/student/news/london-students-clash-with-police-in-defence-of-living-wage-for-university-staff-8903898.html>). Second, the campaign has received an enormous amount of publicity in the media (see the campaign web site for a list of press links: <http://3cosascampaign.wordpress.com/press-reports/>). Third, the campaign has received support from innumerable trade union branches, NGOs, student unions, and other high profile supporters (for example read this article by Natalie Bennett, leader of the Green Party of England and Wales: <https://camdengreenparty.wordpress.com/2013/04/11/strong-support-for-university-of-london-cleaners-3-cosas-campaign/>). Fourth, the campaign has received an enormous amount of support from individuals from all over the country, as evidenced by the fact that over 1,400 emails were sent to the Vice-Chancellor. Fifth, the campaign has worked closely with the University of London Union and the students this union represents. This student support has come in a variety of forms, the most creative of which include publicity stunts inside Senate House (for example see this video of students raising awareness on holidays: <http://www.youtube.com/watch?v=epK3okUxUUg>). Sixth, the workers are united. This is seen in the manner in which nearly all of them transferred over from UNISON to the IWGB, and in their 97% vote in favour of industrial action. Seventh, the workers have won the moral argument. Very few people disagree with the notion that outsourced workers should be entitled to decent terms and conditions. Of course, it would be quite difficult politically for UNISON to disagree with this, and even though the University of London started out by saying that the statutory terms and conditions were good enough, they quickly changed approaches. Eighth, and perhaps most importantly, BBW workers went on strike for two days on 27 and 28 November, 2013. This strike for all intents and purposes shut down the Central Administration of the University of London. Delivery trucks and students alike were turned away. For some of the coverage of this strike see: <http://london-student.net/news/11/29/outsourced-workers-senate-house-win-concessions-following-strike/>, <http://www.independent.co.uk/student/news/victory-cleaning-staff-strike-at-university-of-london-wins-major-concessions-on-pay-and-conditions-8972785.html>, <http://www.independent.co.uk/student/news/suds-and-solidarity-down-on-the-picket-lines-with-university-of-london-cleaning-staff-8970658.html>, <http://www.theguardian.com/education/abby-and-libby-blog/2013/nov/27/university-cleaners-strike-royal-visit>, <http://www.morningstaronline.co.uk/a-8dcb-Cleaners,-caterers-security-and-porters-out-for-equal-rights#.UqdfDPRdXLJ>, and <http://www.timeshighereducation.co.uk/news/cleaners-to-continue-outsourcing-fight/2009463.article>. If the concessions on terms and conditions were due merely to

negotiations with UNISON (a union that didn't support the 3 Cosas Campaign!) rather than any or all of the reasons I have listed above, surely this recent victory constitutes one of the biggest coincidences in the history of the UK trade union movement.

Having established the absurdity of your claims that this was a UNISON victory, let's move on to your accusations. In short, the University of London is attempting to dismiss the IWGB as being aggressive, for intimidating staff and students, and for rejecting dialogue. Putting aside for the moment the hypocrisy of the accusations (more on which below), let's just take them at their face value. Of course, the basis for these accusations is not factual but rather political. Knowing that it has lost the moral argument against sick pay, holidays, and pensions, the University of London has found it more fruitful to attack the proponents of the argument rather than the argument itself. However, facts are important. The campaign has never engaged in, and has always deplored, the use of physical violence. Many of the IWGB members at the University of London are security guards who are on patrol during 3 Cosas protests. Ironically, despite the University of London's supposed concern for the health and safety of these security guards, it is these very workers who will most benefit once the 3 Cosas Campaign is entirely won. Most of these security guards are on the same terms and conditions as cleaners and other outsourced staff currently. I'm not sure what intimidation the University of London refers in their tweets about the strike, but perhaps this video of the cleaners dancing on the picket line might help clear it up: <http://www.youtube.com/watch?v=fvLUQbdsh0>. It's a good thing we didn't put on the much faster-paced samba music- the University of London might have called us terrorists!

With regard to the suggestion that the IWGB is opposed to dialogue and negotiation, nothing could be further from the truth. We are just opposed to the way you do it. Shortly after setting up the University of London branch of the IWGB, the branch Chair, Vice-Chair, Recruitment Officer, and I met with senior management at BBW in order to ask them for a recognition agreement. Our arguments for the recognition agreement centred on the fact that through proper negotiating structures we could resolve a number of workplace issues without the need to turn to more formal procedures such as grievances, industrial action, and employment tribunals. Our request for recognition was denied.

Following on from the request for recognition, in the summer of 2013, Sonia Chura, the Vice-Chair of our branch, wrote to Vice-Chancellor Adrian Smith, asking that the VC meet with the outsourced workers to discuss their terms and conditions. The VC denied the request, saying: "It would not be appropriate for us to meet as the IWGB is not a recognised Trade Union of the University of London." The VC also insisted on the importance of the dialogue with UNISON. Sonia responded by requesting a meeting which would be open to any outsourced workers (both UNISON members and non-unionised workers in addition to IWGB). The request was denied. Read the full correspondence here: https://docs.google.com/a/soas.ac.uk/document/d/1sdF_-bnf_pma-WL6GdQKr1w7oDzk51g5xgvkOSXrmi4/edit.

However, the IWGB did not give up on dialogue. On 23 September, 2013, the IWGB informed BBW of our dispute over terms and conditions, union recognition, and job losses. In the letter notifying dispute, the union offered to meet with BBW (either directly or through ACAS) to discuss the dispute. The offer was not accepted. On 14 November, 2013, the IWGB once again wrote to BBW, this time to inform them of the industrial action ballot result. Once again, the IWGB offered to meet up to try and resolve the dispute through dialogue. This time, and after seeing a 97% vote in favour of industrial action, BBW agreed to meet us at ACAS. The week before the strike, we spent 4.5 hours at ACAS in mediated discussions with BBW. However, we found out rather late in the game that BBW had no intention of discussing the areas of dispute, but was rather there to discuss our “general relationship”. In particular, BBW complained that we often use formal procedures such as grievances and an employment tribunal, and that we often cite employment law in our emails to BBW management.

It is also perhaps worth highlighting, once again, that one of the areas of dispute is union recognition. We want recognition so that we can engage in proper negotiations and dialogue! BBW and UoL’s position appears to be: “We won’t talk to you because we don’t recognise you. And we don’t recognise you because we don’t talk to you.” I must say, for such a prestigious academic institution, the University of London’s circular reasoning is a bit concerning.

In addition to your accusations of aggression being unfounded, they are also particularly ironic coming from you. Indeed, the word “aggressive” doesn’t do justice in describing how UNISON attempted to silence the voice of outsourced workers and the campaign they ran. However, I have more to say about BBW and the University of London’s aggressive tactics. Whilst we deplore physical violence, BBW and the University of London appear to promote it at every possible occasion. For example, check out the 8th, 11th, and 12th pictures in this article: http://www.vice.com/en_uk/read/students-proteted-to-save-their-university-yesterday?utm_source=vicefb. In these pictures you can see Andy Combe, BBW general manager of the University of London contract, using physical force, gripping a student by the throat, and pulling up a young woman’s shirt as he drags her off her own campus. Indeed, during our two day strike, Mr. Combe told me we had to move away from in front of the entrance to Senate House or he would have the police come in and remove us by force. The police did come but on this occasion had different thoughts about removing a bunch of cleaners dancing in a conga line and waving flags.

In addition, just in the past 6 months, the University of London has attempted to ban peaceful protests on campus (threatening to prosecute staff and students for trespassing), had a student arrested for chalking a slogan in support of 3 Cosas (see <http://www.independent.co.uk/student/is-student-politics-alive-and-kicking-8717772.html>), as well as the video of the brutal arrest: <http://www.youtube.com/watch?v=kahUH7JaFRE>), and called police at nearly every protest that has occurred. The President of ULU has been

arrested for organising a demonstration, peaceful student occupiers of Senate House were removed by force, and police beat student protesters (see this Guardian article and video of a police officer punching a student in the face: <http://www.theguardian.com/uk-news/2013/dec/05/three-arrests-student-protest-university-of-london>). The University of London has refused to condemn the police brutality. Finally, the University of London has obtained an injunction to ban protests for the next 6 months (see <http://www.channel4.com/news/university-of-london-student-protest-ban-senate-house-occupy>).

In closing, it is perhaps worth asking that the three of you reflect on the unsustainable nature of your current policies. Despite your desperate attempts to move the outsourced workers back into UNISON, this will not happen. No amount of bribery, intimidation, or dishonesty will be sufficient to compensate for the manner in which UNISON treated these workers prior to their leaving. Also, as a free piece of advice for my UNISON colleagues, when the two main workplace reps are the Cleaning Services Manager (in charge of 140 cleaners and porters) and an openly xenophobic post room worker who says the cleaners are lucky to have jobs, you're unlikely to build much credibility in the workplace. Furthermore, the IWGB is here to stay. This is the union that outsourced workers have overwhelmingly chosen to represent them. It is also a union that they lead. Our membership is also growing larger and larger, with an increasing amount of direct university employees signing up. I don't see this trend changing. The University of London has lost the moral argument on terms and conditions and it will shortly lose the moral argument on the criminalisation of protest. Likewise, BBW's policy of ignoring the union that workers have chosen in favour of negotiating with their own managers and unelected bureaucrats, simply cannot last. Finally, it is worth bearing in mind that this dispute is far from over. Whilst the new sick pay and holiday entitlements are a welcome improvement, we are still a ways away from achieving equality of terms and conditions with in-house workers. Also, BBW has offered nothing on the other areas of dispute, i.e. union recognition and job losses at the Garden Halls. For these reasons the IWGB has served notice to BBW that workers will be on strike again on 27, 28, and 29 January, 2014.

In sum, despite the University of London's and BBW's aggressive tactics of intimidating staff and students, we are fully prepared to engage in constructive dialogue.

Kind regards,

Jason Moyer-Lee
Branch Secretary
University of London IWGB

