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Our website is [www.tuda.org.uk](http://www.tuda.org.uk)

## **NEWS in Brief**

### **Blacklisting**

On 7 July, Business Secretary Lord Mandelson said: "Blacklisting someone because they are a member of a trade union is totally unacceptable." Have your Say [click here](#) or go to Directgov newsroom online. You must do so **before 18 August 2009**.

### **Public Sector Pay Freeze**

Audit Commission chief Steve Bundred on 5 July: "A pain-free way of cutting public spending would be to freeze public sector pay. Cuts are inevitable and perfectly manageable." The question which activists are asking is: Pain free for whom and managed by whom?

## **TUDA notes on TUC Disability Conference**

### **Wednesday, 20th - Thursday, 21<sup>st</sup> May 2009**

Summary by Marion Reichart, UCU and TUDA

### **Overall impressions:**

As the recession bites, it becomes more and more important to protect disabled workers, who face discrimination, harassment, unequal treatment and unfair selection for redundancy.

There was at times an angry feeling at the Conference as fine words from officials were so harshly contradicted by deeds: Deep anger about the axing of the helpline in Manchester, closure of Remploy factories and retrograde steps in the Welfare Reform Bill. Trade unionists work tirelessly to combat the real danger that our hard-won advances in disability equality might be reversed.

**Speaker: Jonathan Shaw, MP, Minister for Disabled People,** promised a doubling of the Access to Work budget over the next five years and an additional £8 million to help disabled people into work or stay in work during this economic down turn. To reach out to people furthest from paid work, flexible Access to Work pilots in two boroughs in London in conjunction with Mind, Trading Project Search for people with learning difficulties and two new mental health and learning difficulty employment strategies are being drafted.

Acknowledging Conference motions on Remploy, he said:

“Remploy have found 6,600 people into work just last year, but many of the people working in the factories don't have enough work to do.

We need to use the public sector, the government sector, Whitehall to provide jobs for colleagues in the Remploy factories and I continue with my commitment in that area." But 80 per cent of people that were made redundant still have no job. The minister stated that the Single Equality Bill is to streamline and bring together existing rights, and not to water them down.

**Questions from the floor** raised concerns over: closing down Remploy factories, raising awareness of Access to Work, incapacity benefit, employment as the only route out of poverty, the public sector duty, role of charities, poor standards of practice regarding reasonable adjustments for disabled and Deaf people, unlicensed BSL interpreters, being regarded as 'too disabled' by staff in Work Centres to find work, and the Welfare Reform Bill.

**Speaker: Mark Fysh, Chair of the TUC Disability Committee** and member of the TUC General Council thanked all the colleagues on the Disability Committee. Overall he supported changes in the law, but argued that the position of disabled people in the workplace continues to be poor.

The Disability Committee found itself switching between welcoming some proposals on the one hand, and campaigning to overturn others. He promised that the TUC and disabled people themselves will continue to fight for disabled people at work, challenge government policy, and provide guidance on best practice.

**Speaker: The TUC deputy General Secretary, Francis O'Grady**, opened the afternoon session by recognising an increased gap of inequality in Britain today between rich and poor and between different geographical regions.

"Let's just remember that when it comes to scrounging, when it comes to milking the system, and when it comes to cheating the great British taxpayer some of those in positions of power need to take a good long hard look in the mirror (applause)." Francis promoted efforts of unions to build a new nationwide network of equality representatives, to argue for statutory rights for those representatives and to continue to work in the battle to secure justice for Remploy workers.

**Speaker: Catherine Casserley, Barrister at Cloisters Chambers** provided a solid legal overview of disability discrimination issues in light of recent case law and policy. She spoke on implications of the Equality Bill, issues of definition of disability, direct and indirect discrimination, discrimination by association and perception, reasonable adjustments, and remedying the Malcolm case. The conclusion was that it appears as though the Bill doesn't really simplify things, but makes them more complicated to claim our rights.

**Speaker: Siobhan Endean, Head of Equalities at Unite** emphasised the need for action yet strategic approach: "We need a national strategy for jobs and a road map out of the recession and the campaign as well to increase the level of redundancy pay, to make it more difficult for employers to make people redundant."

**Speaker: Richard Exell, TUC Senior Policy Officer** was impressed by the quality of the motions on the agenda, and the attendance at this Conference. He spoke with great passion about the impact of the recession on disabled people. Disabled people should no longer be the '*reserved* reserved army of labour'.

It is not just about jobs, but also about the growing attack on public services. Beyond employment he called for a decent, humane, compassionate welfare system with adequate benefits rates. Richard expects an enlarged vision of the role of society in dealing with the crisis, political and economic, and urges unions to develop strategies to counter the attacks.

**Speaker: Phil Davies** was angry about the government's closure of 29 factory sites in Remploy with 2,500 people forced into retirement, whilst directors of Remploy departed with up to £58,000 bonuses on top of a very high salary. Around 1.7 million has been paid out in bonuses to senior managers of Remploy. He called on Conference to be prepared to fight like we have never fought before for disabled people, for black people, for women workers and all those people that have suffered from abuse and from an inequality.

**Questions from the floor covered:** unions arguing as hard as they can for a public sector job creation programme; working for the interests of workers with any government even if they are corrupt; and the shape of a road map out of the recession.

**Speaker: Caroline Ellis, Joint Deputy Chief Executive of RADAR** made a plea for us to work together, the disability movement and the trade union movement, to make independent living a reality for disabled people and a priority at the next election. In response to questions, Caroline said: "RADAR is a user led organisation, run **by** disabled people. About 90 per cent of our executive and management committee, which Nick is on, is made of disabled people, and virtually everyone on the staff does, so we see ourselves not as a big charity but part of the disability movement and work closely with the National Centre for Independent Living and we've got a great fund raiser and we want to use the resources to support the wider movement."

**Questions from the floor covered:** concerns about large charities, including RADAR in the past, that have 'stolen' our money when we have been trying to establish local level services that genuinely support disabled people; RADAR keys; whether trade unionists, should be recruiting, organising and representing personal assistants who are not enjoying decent terms of conditions of employment.



## **Emergency motions:**

(1) **Language.** Sought to reaffirm our commitment to the social model of disability and urged affiliates to follow existing guidance on appropriate use of language. Congress must ensure that trade unions are not part of the oppression disabled people experience. The motion was carried.

(2) **EHRC Helpline.** Carried unanimously.

## **Motions**

(1) (2): **Economic crisis and retention of disabled workers/ Recession and disabled workers.** Carried unanimously

(3) **Discrimination, recession, welfare reform.** Carried.

(4) **Welfare Reform Bill.** Motion carried unanimously.

(5) **Education, employment, training post-16.** Carried.

(6) **Underreporting of disability and protection of workers.** Motion was carried.

(7)(8)(9) **MALCOLM vs LEWISHAM/Disability Discrimination Act protecting members' rights/ Equality Bill and Public Sector Promotion of Disability Equality.** Motions were carried.

(10) **Single Equality Schemes.** Carried.

- (11) **Disability Discrimination Act and Hidden Impairments** Carried.
- (12) **Occupation and Health Assessments.** Carried.
- (13) **Mental Health.** Carried unanimously.
- (14) **Disability Support Networks.** Carried.
- (15) **Inaccessible Information Technology.** Carried unanimously
- (16) **Media representation and portrayal of disabled people.** Carried.
- (17) **Shared Spaces/ Surfaces.** Ask your MP to support Early Day Motion 496. Carried.
- (18) About us: **Archiving an oral history of disability activists**
- Composite motion**
- (1): **Disability Support Networks.** Carried.
- (2): **TUC resources for disability.** Carried.

### **Elected to Committee**

Conference declare the following elected to serve on the disability committee for 2009/10: Terry Briggs, Steven Brooks, David Bryson, Richard Cook, Gareth Davies, Mandy Hudson, Martin Kelly, Phil Madelin, Pauline McArdle, David Quarnby, Helen Rose, Tony Sneddon, Cliff Towson and Les Woodward.

## **Issues arising - TUC Disability Conference:**

### **Fringe meeting focus on Equality Reps**

Dave Parr who was the original development officer with the Disability Champions project was there and spoke about the Champions programme. He has now developed the programme on line which will be valuable to people who have difficulty in getting away from the workplace for the 5-day training.

**TUC Guidance Disability Equality Duty and Trade Unions (2007)** A useful booklet in current times as public sectors are under pressure. Advice prepared by experts at the Disability Rights Commission on how the law can be used by trade unions to strengthen their negotiating position with employers subject to the Disability Equality Duty. [Click here](#) to download the pdf version of access online from TUC web pages.

### **TUC Guidance for Trade Union Reps (2008)**

'Representing and supporting members with mental health problems at work'. Gives clear and practical guidance on how to deal with some common workplace issues. [Click here](#) to download the pdf version or access online from TUC web pages.

## **Office for Disability Issues ODI**

Following an open competition ODI has announces Kirsten Hearn, Agnes Fletcher and Stephen Duckworth as successful Disability Equality Delivery Board members. The board reports to the 'Improving the Life Chances of Disabled People' Ministerial Group which is chaired by Jonathan Shaw, who spoke at the TUC Disability Conference.

## **TUDA AGM 2009, 18 April**

We had a successful lively meeting, with Ju Gosling, NUJ, Regard and Sarah Kavanagh, PCS Welfare reform as speakers. The TUDA Executive Team is now working on action points.

## **Just a thought from the TUDA newsletter editor. Richard Cook:**

### **Flexible workspace and staff appraisal**

"With the growth of flexible workspaces or hot desking in offices as employers try to save money, there a consequence for some workers with disabilities who need a fixed desk or work station with adjustments and special equipment to lose out by either not having a proper desk or the right equipment. Another issue is other people using the workstation and altering the adjustments.

Trade union reps should remind Employers of their duty under the DDA and to negotiate proper facilities for those members who require reasonable adjustments in the workplace"

Also a new person named Marion Reichart, UCU and new TUDA who has stepped in and produced the TUC conference report from well over 100 pages, quite amazing and I hope this help will continue. Also Marion has produced her excellent work in a new way. So tell Richard Cook post address is 141 Vale Road Northfleet, Kent DA11 8BX Or email [findcook@hotmail.com](mailto:findcook@hotmail.com) what you think and if it causes you any problems.

In an attempt to try to save TUDA money and speed up the provision of information, if you have email (and we understand not everyone does), would any TUDA members like to have all future newsletters via e-mail?

Thanks to those who signed up after reading recent newsletters.

TUDA Secretary & co-chairs can be contacted via our box number, BM TUDA, London WC1N 3XX. Email: [mail@tuda.org.uk](mailto:mail@tuda.org.uk)

TUDA news has lots of news and information. Please tell us of any issues you feel we should cover. We encourage people to submit both information and articles for inclusion so get writing if you can. Email me at [findcook@hotmail.com](mailto:findcook@hotmail.com)

## How to join TUDA

### I wish to receive more Information

**about TUDA:** Please send by post to: Alan  
Martin at **BM TUDA, London WC1N 3XX**

Name \_\_\_\_\_

Position in Trade Union (if applicable)  
\_\_\_\_\_

E mail: \_\_\_\_\_

Post Address (if applicable) \_\_\_\_\_

\_\_\_\_\_ Post Code \_\_\_\_\_

### Preferred format

Email  Audio

Text Print 12 point

Large Print, please give size

BSL / Video  Braille

### Membership Fees:

Individual Disabled Person £7.00

Supporting Subscriber £10.00

Union Branch £25.00

Union Region £50.00

National Unions with 100,000 members or  
less £100.00

Unions with 100,001 to 500,000 members  
£150.00

Unions with over 500,000 members £200.00

Please make cheques payable to Trade Union  
Disability Alliance.