

A spark's history of the JIB

Sweetheart deals and stitch-ups

Eddy Current

Electricians are currently fighting a 35% pay cut and the deskilling of their trade. This is being imposed by seven companies using the new "Besna" contracts. There have been huge walkouts to defend current terms and conditions under the "Joint Industry Board" (JIB). However, the JIB itself has been opposed for years by rank and file trade unionists in the electrical industry.

Under a legally-binding agreement in 1968 a unique partnership was introduced to British industry. The Joint Industry Board (JIB) consisted of the Electrical Contractors Association (ECA employers) and the Electrical Electronic Telecommunications and Plumbing Union (EETPU). The two parties appointed members to form the JIB national board.

The JIB was based on an American sweetheart deal between employers and a union. In return for the union disciplining its members, improving productivity and eliminating strikes, the employers delivered an agreed package of pay, welfare benefits and training. Eric Hammond, then an executive member of the EETPU, described it as his "first revolution" in how trade unions operate.

'Partnership'

The JIB replaced the old National Joint Industrial Council, in which the NJIC hammered out agreements between two opposing sides in the industry. Instead of normal collective bargaining, the union and the companies would work in partnership.

Right from the outset, the two parties to the JIB formed a trade union, namely the JIBTU, even though the legality of such registration was always in doubt. It was challenged in June 1991, after which the JIB asked to be deregistered as the JIB was not and never had been a trade union.

Yet the dispensation claimed by the JIB allowed for a provident fund to be established to provide benefits to members. The JIB gained considerable material benefits from being registered as a trade union, such as tax allowances to which it was not legally entitled.

The detriment to members grew



"All power to the sparks", Cannon Street London, last year photo Paul Mattsson

ever greater and in 1979 another unique dispensation was granted by the Tory secretary of state Patrick Mayhew. This allowed the JIB to substitute its own dismissal procedure for unfair dismissals. It is the only such exemption order granted in any industry. It effectively denied access to independent arbitration for the electrical personnel.

This exemption order was revoked after the mass sacking of 240 electricians at the huge Pfizer project in Kent in April 2000 because it fell foul of the Human Rights Act. However, the legal status of the JIB itself was questioned by MP John McAllion: "We simply do not know the current legal status of the JIB... who is legally responsible for registering it, to whom it makes returns, or who holds it to account. For a large and wealthy organisation that exercises tight control over one of our most important industrial sectors, that is entirely unacceptable."

The partnership even formed its own employment agency for electrical contracting, "ESCA Services", which was owned by employer and union. The employers, by paying "union dues" on behalf of "union members", were able to give the un-

ion more than £1 million every year through so-called "check-off". The employers paid the piper and clearly they called the tune.

The EETPU was expelled by the TUC in the 1980s. Through its expulsion a new union was formed in the electrical industry, the Electrical Plumbing Industrial Union (EPIU). This new union brought about the revocation of the exemption order, but its entire membership was placed on the blacklist. Even suspicion alone of membership was enough. Many of the larger electrical companies who were ECA members were subscribers to the blacklist.

The JIB promised an industry of benefits, training, welfare, industrial harmony but in reality became an industry of have-a-bash electrics, of mass sackings, an industry in which 95% of workforces would be employed via agencies, where companies install their own union reps, an industry that sought complete control over its workforce with its partners it always refers to as "our" union. An industry run by a one-sided agreement in which union officials turned a consistent blind eye to the detriment of their own members and colluded

in blacklisting. Some officials went on to secure positions with the employers, obviously without ever having swapped sides.

Even on major projects JIB rates are not paid. Many electricians pay for the right to be paid and are often employed by three companies: the JIB, the agencies, and the "satellite offices" which many electricians have to pay in order to receive a pay slip.

No coincidence that, after years of detriment, rank and file workers ignored their union officials in the electrical sector of Unite. The national officer wanted to wait till December before responding to the threatened sackings of thousands of members, so the workers turned enthusiastically to the rank and file committee.

Six of the seven Besna companies were subscribers to the construction blacklist. After 43 years of witnessing the JIB partnership, the rank and file are saying they've suffered enough. The employers' grip on the electrical union and subsequently on the electrical sector of Unite is being lessened every day. The democracy, for so long denied to the workers, will soon be wrested from the grip of the employers.

In brief

Victory for POA

The European Court of Human Rights have accepted the prison officers' union application for restoration of trade union rights. Successive governments have enforced legislation prohibiting prison officers from taking legitimate industrial action. Steve Gillan, POA general secretary, said: "I am pleased that this issue is moving forward to right a wrong on a basic human fundamental right that is denied to my membership. This obviously is the first of many hurdles but at least our application has been successful by being accepted".

Jobs under threat

About 400 TV licensing employees in Bristol, which is now operated by private company Capita, have been in a pay dispute over the last few months. Their latest one day strike was timed to coincide with the N30 public sector pensions strike. Now Capita are considering closing down the office in Bristol and relocating, probably to the North West, with a potential massive loss of jobs as a consequence.

This brutal response to a modest pay claim shows what the bosses are capable of and requires a firm response by the unions and maximum solidarity.

Domenico Hill

Victory over victimisation

Trade unionists have been quick to respond to the victimisation of three activists in the University and College Union (UCU). Craig Lewis, a member of the UCU national executive, Peter Jones, vice-chair of UCU Wales, and Ray Williams, a UCU rep were all suspended and threatened with disciplinary action by Coleg Harlech principal. The college covers campuses across north-west Wales.

The suspension followed UCU members raising multiple grievances, including management's decision to leave tutors out of pocket for travel expenses between the college's teaching sites - two of which are 90 miles apart. But UCU and Unite members, National Shop Stewards Network supporters and Socialist Party members from across Britain flooded the principal's email box with so many messages of solidarity and support for the three that it shut down. Four days from the announcement of the suspensions, college management capitulated, lifted the suspensions, withdrew the threat of disciplinary action and promised to pay money owed for holiday work.

Edmund Schluessel
Cardiff University UCU,
personal capacity

BBC strike

100 Bectu members held a rally in Birmingham on 19 January to mark the end of a 24-hour strike against plans to effectively mothball the majority of BBC Birmingham's studios. The BBC wants to move programmes currently produced there to Bristol. The move would mean state of the art studios, the lease for which still has several years to run, being closed. Then the inferior facilities at Bristol would be expanded at a cost of millions. As one steward commented: "Staff are really angry that no explanation has been given for this decision, which won't save money or lead to more creativity".

Nick Hart

Exposed - the dirty world of the construction blacklist

A London Employment Tribunal has found that engineer Dave Smith had been blacklisted by Carillion (JM) Limited and Schal International Limited (a wholly owned subsidiary of Carillion) because he raised concerns about asbestos on building sites and because of his trade union activities. The firms actually admitted that their managers had supplied the malicious information in a signed statement to the court.

But shockingly because Dave had been employed through an employment agency, UK employment law does not protect him or millions of other agency workers. So the multinational construction firms won the tribunal on this legal technicality.

During the tribunal a blacklist file collated by the Consulting Association was presented as evidence and contained many details about Dave and how he had complained about issues like asbestos or poor toilet fa-



Protesting against the blacklist at the London Olympics site photo Suzanne Beishon

ilities on building sites. The file was covertly shared among the 44 largest construction firms in the UK.

This is almost certain to become a key element in a larger "class action" style claim being brought to

the High Court by 100 blacklisted workers in the next few months.

Ex-police officer Dave Clancy is the Head of the Investigations Team at the Information Commissioners Office, the man who led the raid on the Consulting Association premises and discovered the blacklist. He said in the hearing under oath: "There is information on the Consulting Association files that I believe could only be supplied by the police or the security services". He also told the court that the Consulting Association held information on elected politicians, journalists, lawyers and academics.

Labour MP John McDonnell said after hearing these revelations: "I am calling upon the government to launch a public inquiry into the full extent and impact on people's lives of blacklisting. These revelations are truly shocking and warrant a detailed and open, public investigation."