



## **Unite submission to BIS consultation on Zero Hour employment contracts**

**This submission is submitted by Unite the Union. Unite is the UK's largest trade union with 1.4 million members across the private and public sectors. The union's members work in a range of industries including all the manufacturing and transport sectors, financial services, print, media, construction, local government, education, health and not for profit sectors.**

### **Executive Summary**

- BIS have failed to understand the nature of the problem of zero hours contracts and other forms of precarious employment. The proposals under consultation are wholly inadequate to tackle these problems.
- Unite and independent research specialists Mass1 have carried out the largest investigation into zero hours contracts yet undertaken. This evidence shows that zero hours contracts are an accelerating trend across the UK and can be found in all areas of the country and sectors of the economy.
- Zero hours contracts are used to trap workers in low paid and insecure work, creating social exclusion, poverty and misery for a growing class of people.
- Unite believes that such contracts are unacceptable; severely damaging peoples' lives, while undermining future growth, productivity and leading to losses to the exchequer.
- The Government must make comprehensive recommendations to support a ban on zero hours contracts. Unite has outlined clear proposed changes to the law that can be enacted to deliver such an outcome.
- This must form part of a wider call for comprehensive and effective regulation of the UK labour market to protect all workers from exploitation and guaranteeing a decent standard of living for all.

## **A. Introduction**

Unite is extremely disappointed by the proposals covered by this consultation. Despite the Secretary of State's commitment to "*a labour market that is flexible and fair*" this review completely miss-represents the problem with zero hour contracts and other forms of abusive contracts. The consultation seems to completely misunderstand the fundamental inequality of power that exists in the labour market between employers and workers, while the document seems primarily focused on the benefits of zero hours contracts for employers.

In reality the proposals under consultation seem designed to avoid making any real difference to the plight of working people trapped on these inflexible and unfair contracts. The motivation for the review appears to be to defuse the public outcry over these contracts, while giving employers a green light to continue to use and abuse workers at will.

In the first part of this submission Unite sets out evidence of the extent of such contracts in the economy, placing them in a wider economic context of inflexible and unfair labour market regulations. It also looks at the effects zero hours contracts are having on many working people's lives. This is intended to answer many of the questions posed in annex 1 of this consultation.

The second part of the submission considers the limited proposals and questions under the main consultation. It also proposes some pro-active solutions to them, particularly under question 11.

Lastly in the appendix of this response Unite includes comments received from Unite's Mass1 survey and collected through the Unite website, as well as a list of employers that respondents have reported to use zero hours contracts.

## **B. Zero hours contracts**

Zero hours contracts are the latest mutation in precarious working, underemployment and worker exploitation that are a major feature of Britain's living standards crisis that is damaging the UK economy. They are one facet of the escalating problem of low pay and precarious working practices, from agency work, underemployment, gangmasters and bogus self-employment.

Zero hours contracts create an enormous inequality in the already unequal power relationship between employers and their workforce. They give employers complete "flexibility" to control workers, while taking away even basic employment rights from the workers involved. In this way they are often used to trap workers in low paid work, on less hours than they would like to be working and with no guaranteed income.

Unite is seriously concerned about the social exclusion caused by these contracts. There is a large and growing class of people living in the UK with no access to basic life chances being excluded from a decent standards of living, with little access to regular employment, labour rights, decent food and housing, education or even a proper family life as irregular working and shifts undermine the ability to for example access child care or contribution benefits. The impact of this on these people's lives, their families and society in general cannot be over emphasised. There is also a serious loss to our economy through loss of consumer demand, productivity and wasted potential.

Throughout the last decade unions have worked to persuade government to act to quell the growth in other vulnerable forms of working. In 2006 one of Unite's predecessor unions was instrumental in campaigning for the introduction of the Gangmasters Licensing Authority to tackle exploitation of workers in the agricultural, horticultural and shellfish industries.

Similarly the Commission on Vulnerable Employment (CoVE) 2008<sup>1</sup> showed in detail the issues faced by workers in low paying, dangerous and insecure work in the UK economy. Unite has highlighted the rise of bogus self-employment as a way to cut employment rights and costs, as well as other abuses in the construction industry such as blacklisting.

The growth of insecure two-tier work in the labour market is driven by numerous loopholes and inadequacies in our labour law, not least of which is the arbitrary legal distinction between “workers” and “employees” that means that many workers are not entitled to legal rights and protections.

Since the financial crisis in 2008 it is notable that forms of vulnerable and insecure employment have increased. Those classed as underemployed have risen by over 1 million<sup>2</sup>. There has been a marked increase in the number of “self-employed” vacancies being advertised and a comparable decline in permanent secure work<sup>3</sup>. Bogus self-employment is likely to be increasing as part of this<sup>4</sup>, particularly in sectors like construction, agriculture and hospitality.

### **C. Extent of Zero hours contracts**

As the consultation notes zero hours contracts have grown in number since the financial crisis of 2008. Official statistics on zero hours contracts across the economy are, however, a controversial subject that is generating significant debate. The Office for National Statistics (ONS) now estimates that over 583,000 people are on zero hours contracts in the UK<sup>5</sup>, having risen from 134,000 in 2006 (0.5% of the workforce). The ONS has now conceded<sup>6</sup> that they need to improve this information as various reports have shown that the figure is an underestimation, particularly because many people do not know they are on zero hour contracts, e.g. for example most agency workers will be on zero hours contracts.

Recent revelations have brought to light over 200,000 workers on zero hours contracts across the private sector alone, including staff at McDonald's<sup>7</sup>, Burger King<sup>8</sup>, Domino's<sup>9</sup> JD Wetherspoon<sup>10</sup>, Sports Direct<sup>11</sup>, Cineworld<sup>12</sup> and Boots<sup>13</sup>. While the Government has admitted that 307,000 workers in the care system are on zero hours contracts and 67,000 NHS staff now on zero hour contracts<sup>14</sup>. Many other organisations may not directly employ workers on zero hours contracts but they do employ large numbers of agency workers (1.6 million according to the Labour Force Survey) which are predominantly engaged on a zero hours basis<sup>15</sup>.

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<sup>1</sup> <http://www.vulnerableworkers.org.uk/>

<sup>2</sup> <http://www.nomisweb.co.uk/published/stories/story.asp?id=42>

<sup>3</sup> Job Centre Plus Vacancy Data, NOMIS

<sup>4</sup> For example Dr Jim McCormick, Scotland Adviser, Joseph Rowntree Foundation. Written submission to Scottish Parliamentary Committee for Economy, Energy and Tourism

<sup>5</sup> ONS, Labour Force Survey 2014

<sup>6</sup> <http://www.ons.gov.uk/ons/rel/mro/news-release/ons-announces-additional-estimate-of-zero-hours-contracts/zhc0813.html>

<sup>7</sup> <http://www.independent.co.uk/news/uk/home-news/they-wont-be-lovin-it-mcdonalds-admits-90-of-employees-are-on-zerohours-contracts-without-guaranteed-work-or-a-stable-income-8747986.html>

<sup>8</sup> <http://www.theguardian.com/uk-news/2013/aug/06/burger-king-Domino's-zero-hour>

<sup>9</sup> [ibid.](#)

<sup>10</sup> <http://www.thisismoney.co.uk/money/news/article-2384065/Wetherspoon-Spirit-Group-admit-staff-zero-hours.html>

<sup>11</sup> <http://www.independent.co.uk/news/uk/home-news/legal-challenge-to-zero-hours-contracts-launched-against-sports-direct-8750104.html>

<sup>12</sup> <http://www.theguardian.com/business/2013/aug/15/higher-cinema-ticket-prices-les-miserables-cineworld>

<sup>13</sup> <http://www.mirror.co.uk/news/uk-news/boots-staff-zero-hours-contracts-could-2122246>

<sup>14</sup> Labour NHS Check 12 - <http://tinyurl.com/n8v2tbw>

<sup>15</sup> <http://www.ons.gov.uk/ons/publications/re-reference-tables.html?edition=tc%3A77-296703>

The CIPD<sup>16</sup> confirms this underestimation with their own statistics, which point to around 1 million people on zero hour contracts. CIPD found that a fifth (19%) of employers used at least one zero hours contract. CIPD points out that a quarter (25%) of organisations with 250 or more employees used zero hours contracts compared to 11% of smaller organisations with fewer than 250 employees. Underlining the uncertainty in the statistics these figures are directly contradicted by ONS findings (analysed by the Resolution Foundation<sup>17</sup>) that found that zero hours contracts were more likely to be working in smaller workplaces (those with less than 50 employees) than in large workplaces (those with over 250 employees).

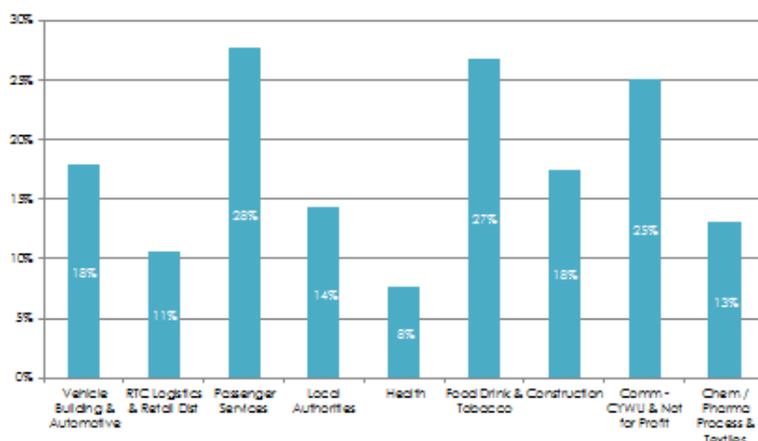
To understand this issue better Unite commissioned an independent survey by Mass1<sup>18</sup> of Unite's membership base. Unite's members are spread across the whole UK economy and form probably the largest survey of employees undertaken - based on a sample size of 5,000 respondents, which was followed up with a phone bank of 900 individuals.

The survey showed that 22% of those responding were either on a zero/short hours contract or knew someone who was. If projected to the economy as a whole this means that potentially up to 5.5 million people in the UK (22% of the workforce) could be in this situation. Even taking into account the potential for double reporting the survey data implies many more people than those acknowledged by BIS in this consultation. Union members are statistically more likely to be on average better paid and in more secure work<sup>19</sup>, and this is reflected by the high number of people responding about friends and family rather than themselves. Of those that did not work on a zero hours contract 68% of people knew someone who did.

The Mass1 survey shows that zero hours contracts are found across every part of the country and across many major industrial sectors. Unite members reported cases in low paying sectors, such as the docks, retail, catering, hospitality and social care, as well as in traditionally better paid professional roles, such as aviation, health specialists, education and local government.

## Working People

Zero-hour contracts are being used throughout sectors



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<sup>16</sup> <http://www.cipd.co.uk/pressoffice/press-releases/zero-hours-contracts-more-widespread-thought-050813.aspx>

<sup>17</sup> <http://www.resolutionfoundation.org/publications/matter-time-rise-zero-hours-contracts/>

<sup>18</sup> <http://www.unitetheunion.org/news/research-unveils-growing-zero-hour-subclass-of-insecure-employment/>

<sup>19</sup> [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/204169/bis-13-p77-trade-union-membership-2012.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/204169/bis-13-p77-trade-union-membership-2012.pdf)

Common names were highlighted as zero hours employers, and although Unite has not formerly verified these they include Sports Direct, Radisson, Aviva, KNDL, Domino's Pizza, Hoyer, Eurocar, the NHS, McDonalds, Staffline, Peretemps (agencies), Tesco, Travis Perkins, Royal Mail, Gist, Stagecoach, Boots, Carillion, Lakeland, Peel Ports, Queen's University (and education generally) and the National Trust. Other company names that were sent to Unite as part of the survey can be found in Appendix B.

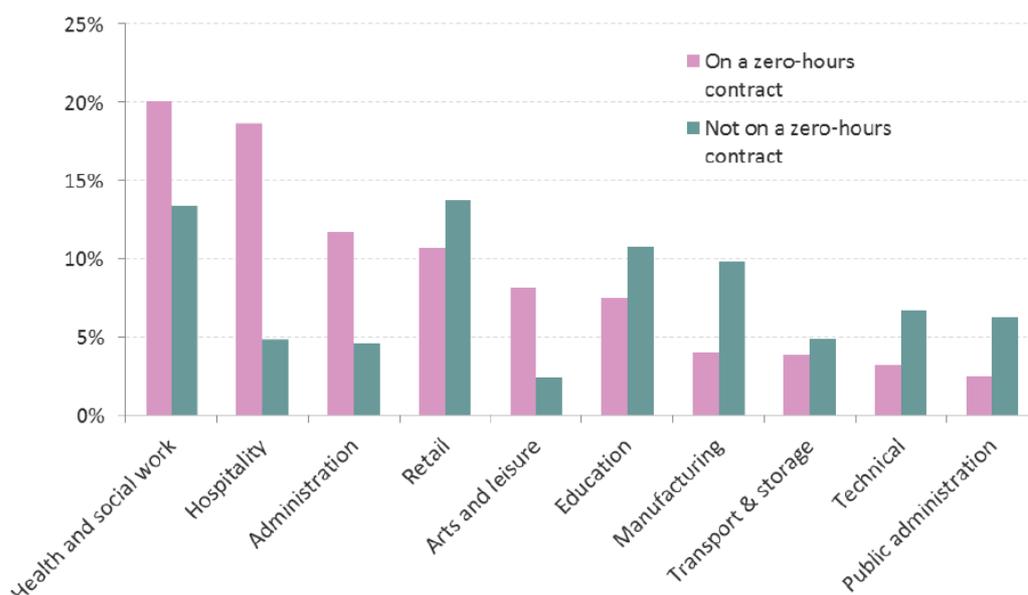
The diversity of sectors using zero hours contracts are reinforced by other UK surveys as well. For example the CIPD UK research showed that employers in the voluntary sector (34%) and the public sector (24%) were more likely to use zero hours contracts than private sector employers (17%), while employers in hotels, catering and leisure (48%), education (35%) and healthcare (27%) were most likely to report employing on zero hours contracts<sup>20</sup>.

Similarly the Resolution Foundation found that according to WERS, zero hours contracts are now used by 8% of workplaces across a wide range of sectors including retail, hospitality, higher education and health. Using the Labour Force Survey (ONS data) they estimated that 20% of those employed under zero hours contracts worked in the health and social work sector, 19% in hospitality, 12% in administration, 11% in retail and 8% in arts, entertainment and leisure.

The Resolution Foundation also found that zero hours contracts were particularly prevalent in the private sector where 85% of those employed on such contracts are located, compared to 76% of those not on these contracts. They found that even within the same sector and among workplaces of similar sizes, the use of zero hours contracts varies. The Resolution Foundation therefore rightly concluded:

*“that the use of these contracts is not an inevitable by-product of a changing economic environment but the result of particular business models and/or imperatives. Some organisations choose not to use them, while others make extensive use of them, despite facing similar operating environments.”*

### **Distribution of employees by zero hours contract status by industry**

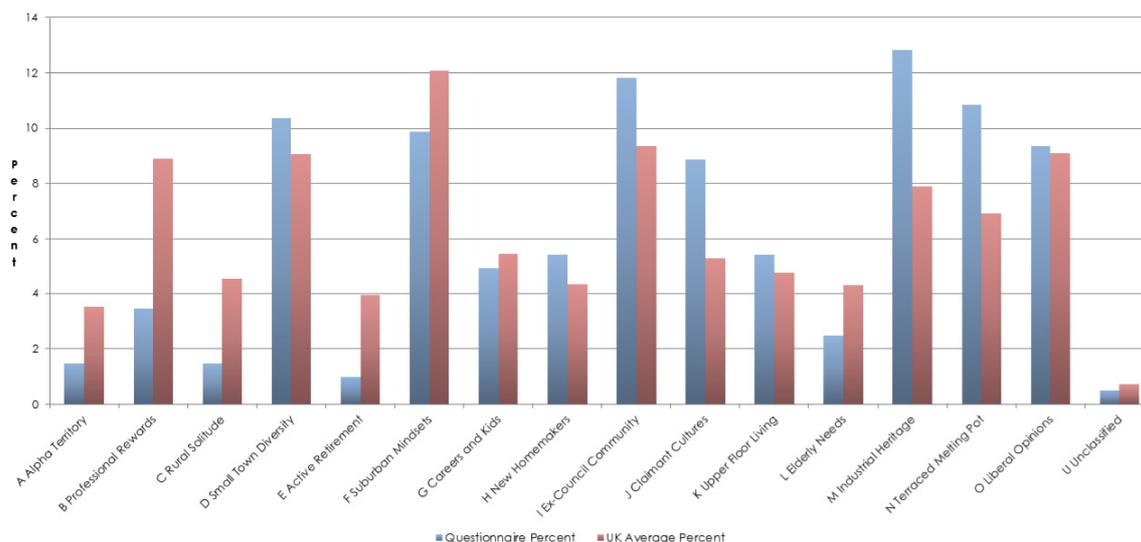


Source: Resolution Foundation analysis of the Labour Force Survey Q4 2012

<sup>20</sup> <http://www.cipd.co.uk/pressoffice/press-releases/zero-hours-contracts-more-widespread-thought-050813.aspx>

The Unite/Mass1 survey used Mosaic demographic profiles<sup>21</sup> based on individual's postcodes to better understand which people are on these contracts. Mosaic is a widely used geo-demographic segmentation system and while Unite would not endorse the view that citizens can be reduced to these deconstructed characteristics, the graph below is illustrative in dispelling myths about who is on zero hours contracts. Mass1 found that zero hours contracts were weighted most commonly to the lowest income demographics, rather than in more professional and better off communities.

Demographic profile of people working a zero hours contract



© Mass1 Monday, October 14, 2013



#### **D. Experiences of zero hours contract – flexible and fair for whom?**

Unite put out a public call for experiences of being on zero hour contracts through its website and as a result was contacted by hundreds of workers – many of whom are not Unite members. Common features of this working life include:

- running out of money during the month
- routine debt: borrowing money from friends and/or pay day lenders
- taking on a second job
- high levels of anxiety
- no savings or any contingency money
- no access to credit
- penalties on workers trying to rent accommodation; they must pay rent six months in advance
- sanctions if the worker speaks out, such as loss of shifts
- zero hours contracts of at least 13 months, more often of over 36 months – for the same employer

Below are some example quotes that Unite had received from workers – these and others are included in Appendix A at the end of this submission:

<sup>21</sup> <http://www.letterboxlondon.co.uk/what-we-do/targeting/mosaic-classification/>

- *“There is no job security, and we are all unhappy about it. It is clearly done to avoid being in the position of employing people as permanent staff, even permanent seasonal staff.”*
- *“I never knew where I would be placed, how far I would have to travel and how many hours I would get”*
- *“I cannot plan for the future or build a stable life for myself as I have no security one day to the next”*
- *“No stability, no fixed income. Had to take shifts at short notice which reduced my flexibility.”*
- *“It’s very hard as there is no regular guarantee of work, and you can find yourselves with some weeks of no work and no money.”*
- *“We are being forced this month to move over to zero hour contracts or face dismissal.”*
- *“The worst part is, if I come in to work for an evening and the shop is quiet my boss can send me home after just one hours work. This means that I only get paid for that one hour, so I actually end up losing money in the evening – as it costs me more than an hour’s pay to get to work.”*

Unite’s Mass1 survey evidence overwhelmingly shows that in general zero hours contracts are unfair, creating insecurity and exploitation for many ordinary people struggling to get by, particularly young people. Employers use them to cut wages, avoid holiday pay, pensions, or other benefits enjoyed by employees and agency staff.

Half of those under thirty reported to be on these contracts. Respondents to the survey reported earning an average of £500 per month, just over a third (36%) say they do not get holiday pay and 77% receive no sick pay.

Unite evidence also puts to rights the regular asserted myth that this “flexibility”, is equally beneficial to both employers and employees - in most cases this is simply untrue. Particularly in low wage sectors, workers on such contracts have no control over the hours they work, the amount of money they earn each week or even the breaks they take. Reports show that care workers on zero hours contracts are not paid for travel time, or gaps between appointments, but have to clock in upon reaching their destinations.

87% of respondents to the Mass1 survey said that if they had a choice they would not like to remain on a zero hour contract. 70% of people expected to travel for their job are not paid for travel time. 33% of people are expected to be on call when they aren’t at work. 82% of people are not paid for time when on call. 92% of females are not paid for time when on call this compares with 78% of males.

Many workers reported being sent home at short notice with no pay for the hours they had expected to get. Others reported not being able to take on other work, as they are obliged to be available for work when the employer wants. This insecurity also increases their risk of being bullied, harassed and stressed as it gives extended control and power to employers. For example 46% of people responding to the survey who had spoken out about their contract have experienced bully or harassment as a result.

Unite members report that particularly in low paying sectors, such as the docks, retail, catering, hospitality and social care, where such precarious work is increasingly becoming the norm; these arrangements serve to trap workers in poverty and exploitation.

These findings were similarly confirmed by both the Resolution Foundation<sup>22</sup> and the Work Foundation<sup>23</sup>. These organisations report that those employed on zero hours contracts

<sup>22</sup> <http://www.resolutionfoundation.org/publications/matter-time-rise-zero-hours-contracts/>

<sup>23</sup> <http://www.theworkfoundation.com/Events/Key-facts-about-zero-hours-contracts>

receive lower gross-weekly pay and that workplaces that utilise zero hours contracts tended to have a higher proportion of staff on low pay. Those employed on zero hours contracts work fewer hours on average than those who are not, but are more likely to want more hours.

They show that zero hours contracts are particularly impacting more vulnerable people in the labour market. For example zero hours contract holders are more likely to be young than other age groups. They are also less likely to have a degree and more likely to have a GCSE as their highest level of education. They are much more common in workplaces that employ more non-UK nationals which are also often in notorious low paying and poorly regulated sectors such as food processing, cleaning, hospitality, agriculture, care and construction. This reinforces Unite's serious concern about the social exclusion caused by these contracts. This large and growing class of people living in the UK with no access to basic life chances are being excluded from a decent standards of living, with little access to regular employment, labour rights, decent food and housing, education or even family life as irregular working and shifts undermine the ability to for example access child care or contribution benefits. Not only is this having a devastating impact on these people's lives, their families and society in general but there is a serious loss to our economy through loss of consumer demand, productivity and wasted potential.

In practice zero hours contracts are having a terrible impact on workers wellbeing. Respondents to Unite's Mass1 survey show that 76% of people on these contracts feel anxious about being on a zero hours contract.

50% of people have asked their employer for a regular formal contract with set hours and as a result 46% of people who have spoken out about their contract have experienced bullying or harassment.

44% of people working zero hours contracts would like to work more hours while it is possible that many of those others are working more hours than they would ideally like for fear of repercussions if they turn them down. 30% of people responding have had to pick up other part time work because they are on zero hours contracts. 51% of people responding would want to pick up part time work.

60% of people have difficulty making their pay last to the end of the month. At the same time 72% of those from the whole UK do not manage to save anything for the future at the end of the month.

26% of people on zero hours contracts also reported not being able to find child care that suits their irregular hours, a problem that is likely to have a disproportionate impact on women. This figure was 31% of people in their 40s compared with 22% for people in their 30s, those not replying may be unaffected due to not having children.

Such conditions are driving down terms and conditions for all employees and given that they are part of a growing trend the potential is for more people to suffer the same fate. The conditions are also having a negative impact on services and service users particularly in vital sectors such as social care.

Unite's Mass1 survey data suggests that workers on zero hours contracts are not aware of their rights. When workers were asked whether they were "offered employment and redundancy rights" only 10% said they were, 57% said they were not and 33% said they didn't know. These figures confirm evidence that many workers do not even know that they are on a zero hours contract let alone know what rights they have.

Given the extent and seriousness of the use of zero hour contracts, Unite believes that the proposals currently under consultation, fail to both understand and solve the problems of these unfair and inflexible contracts.

Unite has been calling for legislative changes to be introduced that would effectively outlaw the use of zero hours contracts and other forms of vulnerable employment contracts. These proposals are set out in the response to Question 11 (Below).

## **E. Consultation Questions**

**Question 1: Are there circumstances in which it is justifiable to include an exclusivity clause in a zero hours contract? If you answer yes, please describe the circumstances that justify such a clause.**

No. Unite is strongly opposed to the use of exclusivity clauses to tie workers into zero hours contracts. Such clauses are used by employers to impose a level of control on workers by trapping them in low pay, with limited rights and no guaranteed work. Given the already uneven power relationship between an employer and worker it is hard to see how such clauses are either “flexible” or “fair” for the workers.

If an employer needs someone who is working exclusively for them then they must pay the worker fairly for that commitment and also guarantee them full employment rights as an employee.

**Question 2: Do you think the Government should seek to ban the use of exclusivity clauses in employment contracts with no guarantee of work?**

Yes. As shown in question 1, these clauses are unfair and unjustifiable.

Unite’s Mass1 survey has shown that if they had a choice 87% of people would prefer not to remain on a zero hour contract. That implies people are taking these contracts out of necessity and forcing them to commit exclusively to an employer that does not guarantee them work should not be permitted.

**Question 3: Do you think an outright ban on exclusivity clauses in employment contracts with no guarantee of work would discourage employers from creating jobs?**

No. There is no evidence to suggest that the loss of exclusivity clauses will have any impact on employment levels. Employers use exclusivity clauses because they can, and Unite is clear that they are an abuse of power and should be banned. If employers want someone to work for them exclusively they should employ people on full-time basis or at least pay their workers sufficient for them not to need other work.

If anything, such clauses are acting as an economic drag, as they trap people in low paid underemployment. These people will have lower household income, consume less and will be likely to be much more dependent on welfare benefits. Unite believes that the state should not be subsidising employers that do not pay their workers enough to live on. This practice should be banned.

**Question 4: Do you think Government should provide more focused guidance on the use of exclusivity clauses, for example setting out commonly accepted circumstances when they are justified and how to ensure both parties are clear on what the clause means? If you answer yes, what information should be included?**

No. Unite is opposed to the use of exclusivity clauses. See Question 1.

Good practice guidance can often be useful but will not prevent the use of exclusivity clauses, and is not a substitute for legislation.

**Question 5: Would a Code of Practice setting out fair and reasonable use of exclusivity clauses in zero hours contracts (a) help guide employers in their use, and (b) help individuals understand and challenge unfair practices? Please explain your response.**

No. Unite is opposed to the use of exclusivity clauses. See Question 1

A Code of Practice would have no legal status and would not prevent employers using exclusivity clauses to exploit workers.

**Question 6: Do you think existing guidance and common law provision are sufficient to allow individuals to challenge exclusivity clauses and therefore no specific action from Government is required?**

No. Unite does not agree that existing common law rules offer adequate protection for workers or can effectively prevent abuse. It is clear from Unite's evidence above that current guidance and common law provision has failed to prevent abusive practice across the UK economy.

To be able to challenge exclusivity clauses the worker will need to make a claim for breach of contract to the county court if they are still in employment or an employment tribunal if their job has ended. Such challenges are both expensive and complex. This route is therefore only likely to be available to trade union members or those who can afford legal advice and representation. Many zero hours contract workers will be deterred from making such claims.

**Question 7: If you have sought employment information, advice, or guidance on zero hours contracts before, (a) where did you receive it from, (b) how helpful was it to you in terms of explaining your position in regard to zero hours contracts, and (c) how could it have been improved?**

Unite regularly supplies legal advice to our members on the various contracts that come under the definition of zero hours contracts. This experience tells us that there is an urgent need to reform the law to prevent such contracts being used to exploit and trap workers in low pay and underemployment.

**Question 8: Would the additional information, advice and guidance suggested in the first option (first bullet point, para 41), help individuals and business understand their rights and obligations? If not, what other information should Government provide?**

This proposal on its own, while not without merit, will do nothing to stop employers using zero hours contracts to prevent workers receiving employment rights. Current legal definitions allow employers to use zero hours contracts to trap workers in low paid jobs, with no guaranteed hours or employment rights. Advice and guidance, however impartial, will do nothing to improve those rights.

Unite believes that impartial advice and guidance is important for both individuals and employers to understand the law. It is unlikely, however, that the proposal will make any

difference to the numbers of people working on such contracts. Employers will simply better understand the possibility of using zero hours contracts to avoid effective employment rights and remedies, while it will do nothing to strengthen the bargaining power of workers to allow them to avoid signing such unequal contracts.

In most cases workers do not want to be on these contracts (see above), but they sign them because they are unable to find an alternative job.

**Question 9: Further to your answer to Question 5, would a broader employer-led Code of Practice covering all best practice on zero hours contracts encourage more transparency?**

No. Unite believes that improved transparency will only come about through changes to the law.

An employer led codes of best practice will have no legal effect and can simply be ignored particularly by the types of unscrupulous employers that are happy to use zero hours contracts.

**Question 10: Do you think that model clauses for zero hours contracts would assist employers in drawing up zero hours contracts, and support employers and individuals to better understand their employment rights and obligations? If you answer yes, what should be the key considerations be in producing model clauses?**

Unite does not believe that zero hours contracts should be used at all. Providing model clauses for zero hours contracts may assist more employers to use these contracts but that, if anything, would lead to their increased use not their reduction.

Unite is seeking changes to the law to give all workers fair contracts of employment and employment rights. This question appears to suggest that Government is seeking the opposite.

**Question 11: Do you think that existing employment law, combined with greater transparency over the terms of zero hours contracts, is the best way of ensuring individuals on zero hours contracts are making informed choices about the right contract for them to be on?**

No. As stated above Unite believes that current employment law is totally insufficient to solve the problems facing workers on zero hour contracts. Transparency initiatives may improve awareness of the lack of protections workers have on zero hours contracts but this will make no difference to the people trapped in them. In many cases workers on these contracts are compelled to take them as no alternative is available. The alternative is often unemployment and greater destitution. Increased transparency over the terms of the zero hours contracts, misses the point that the contract is unfair by its very nature.

Zero hours contract workers should be given the full legal protections currently afforded to employees under UK law. Unite is proposing the following UK wide changes that can help tackle these problems:

- i) Restoration of national collective bargaining in all sectors, especially vulnerable sectors such as social care, construction, hospitality, retail, food sector, logistics, and agriculture.**

Collective bargaining is a powerful way to regulate employers and prevent them undercutting each other and create fairness for workers. Collective bargaining coverage in the UK has

plummeted from 82% of the British workforce in 1979 to 23% today. Average collective bargaining coverage across the EU is 62% and over 80% in western and northern Europe. In Europe the UK is second bottom with only Lithuania below it.<sup>24</sup> Many other European countries, such as France, Germany, Austria and Sweden, have legally defined national systems of collective bargaining.

It should be further noted that under the United Nations' International Labour Organisation Conventions 87 and 98 and under Article 11 of the European Convention on Human Rights and Fundamental Freedoms (EHCR) nations and public authorities have an obligation to promote collective bargaining and provide for special status for trade unions. There are further similar obligations, including under the EU Charter of Fundamental Rights, and provisions to promote social welfare and effective employment protections and rights. Such principles have been recognised in European Court of Human Rights decisions<sup>25</sup>.

Unite and other unions have reached agreements with employers through collective bargaining structures about the fair use of agency and other non-permanent contracts. Such agreements could be extended nationally to create a social floor for companies to compete in. This would also act to strengthen the economy overall.<sup>26</sup>

The Government should take three immediate steps:

- Issue a clear statement of its commitment to support and develop collective bargaining at the sector level;
- Introduce a programme that will establish a mechanism through which institutions can be created to help deliver the goal;
- Establish mechanisms through which sector wide compliance with agreements can be ensured.

**ii) All workers to be defined as 'employees' with the attendant rights. This is to ensure delivery of NMW, holidays, sick pay etc.**

Unite believes that employment status rules should be reformed to ensure that not only zero hours contract workers, but all casual workers, agency workers and freelancers, are protected from mistreatment at work. Such "*economically dependent employment*" has been regulated by law in other EU Member States<sup>27</sup> in a number of ways, including: (i) presumptions that these are employees and fall within the scope of employment protection legislation (France, Greece, Luxembourg); (ii) reversal of the burden of proving employee status (Belgium); (iii) listing criteria that enable identification of workers as either employees or self-employed (Austria, Belgium, Germany, Ireland); (iv) extending protection to specified categories, even though they are not presumed to be employees (Denmark, France, Germany, Greece, Italy); (v) creating a special and separate status for such categories of workers who fall outside the established binary division of employee and self-employed (Germany, Italy, the Netherlands, Portugal); (vi) extending basic protections to all workers, but specific protections for specific categories (Italy). There are also proposed moves in the Netherlands to tighten these definitions<sup>28</sup>. Unite believes that the following proposals would solve this issue:

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<sup>24</sup> K D Ewing and John Hendy: *Reconstruction after the crisis: a manifesto for collective bargaining* (2013), Institute of Employment Rights

<sup>25</sup> See for example paragraphs 157 and 158 of the Grand Chamber of the European Court of Human Rights decision in *Demir v Baykara v. Turkey* <http://hudoc.echr.coe.int/sites/eng/pages/search.aspx?i=001-89558>

<sup>26</sup> K D Ewing and John Hendy: *Reconstruction after the crisis: a manifesto for collective bargaining* (2013), Institute of Employment Rights

<sup>27</sup> European Industrial Relations Observatory (EIRO) <http://www.eurofound.europa.eu/eiro/> and see [http://www.eurofound.europa.eu/ceake/eiro\\_subject?key=3](http://www.eurofound.europa.eu/ceake/eiro_subject?key=3)

<sup>28</sup> <http://www.eurofound.europa.eu/eiro/2013/07/articles/nl1307049i.htm>

- All economically dependent workers should qualify for the same statutory employment rights. The only exception should be those who are genuinely self-employed and running a business on their own account.
- Existing 'employee' rights should be extended to all workers. This could be achieved by:
  - Adopting a new, single definition of 'a worker' which covers all current employees and workers and applies to all statutory rights,
  - The introduction of a statutory deeming provision that all workers qualify for statutory employment rights in a similar way to those proposed for tax purposes in the Onshore *Employment Intermediaries: False Self-Employment* Consultation 10 December 2013, Annex C page 2<sup>29</sup>. The onus should rest with the employer to convince an employment tribunal that an individual is genuinely self-employed and there should be a statutory presumption that an employee is not self-employed if "subject to control, direction or supervision by any person".
- The rules on continuity of employment should be reformed to ensure casual workers who experience breaks in employment can still qualify of employment rights. These proposals would require changes to sections 10 and 198 of the ERA 1996.

### iii) Introduction of new rights to workers

Unite believes in addition the following rights should also be introduced:

- **A system of guaranteed minimum hours in all contracts as a standard, with payments for on call time and clear limits on the percentage of time someone can be expected to be on call.**

Workers should be given more security in the income they will receive and a system of guaranteed minimum hours, payments for and legal limits to the numbers of hours a worker can be on call would do this. This would also include legal changes to prevent employers introducing exclusivity clauses to restrict second jobs. Such a system would provide certainty for worker in several ways. Firstly that they were guaranteed a certain amount of income per week and know when they were required to be available for work. It would also further clarify their employment status by making them employees under current legislation. Those limited numbers who are genuinely happy working on a zero hour basis (13% according to the Mass1 survey) would not seek to exercise this right.

- **A right for all 'workers' not to suffer detriment if they turn down an offer of work**

This could include the introduction of a right for all 'workers' not to suffer detriment if they turn down an offer of work beyond their contracted hours. If zero hour contracts are not banned, detriment should be specifically defined to include circumstances where an employer refuses or fails to offer a zero hours worker future employment. It should also be automatically unfair for an employer to dismiss a 'worker' for refusing or failing to be available for work beyond their contracted hours.

- **The right to reimbursed by employers for travel costs where a shift is cancelled at short notice**

Workers should have the right to reimbursed by employers for travel costs where a shift is cancelled at short notice. Employer should also be required to pay the workers for their scheduled shift. These changes would ensure that workers are not left out of pocket. They would also encourage employers to plan their staffing needs well in advance.

<sup>29</sup>[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/264649/Onshore\\_employment\\_in\\_intermediaries\\_-\\_false\\_self\\_employment.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/264649/Onshore_employment_in_intermediaries_-_false_self_employment.pdf)

- **The right to be paid the National Minimum Wage (NMW) or more whenever they are ‘on call’ and expected to be available for work at short notice**

Workers should have the right to be paid the National Minimum Wage (NMW) or more whenever they are ‘on call’ and expected to be available for work at short notice. The right to be paid when ‘on call’ in the National Wage Regulations should no longer be limited to workers who wait on or near the employer’s premises.

This proposal would help to prevent employers from avoiding paying the national minimum by requiring zero hours workers to wait at home for work to be assigned. It would also deal with unfair anomalies in the current NMW rules. For example, whilst care workers have the right to be paid the NMW during travel time, they have no right to be paid if they are required to park and wait in their car whilst waiting for an appointment to start.

- **Variable hours contracts must be opt-in only**

All contracts which commit workers to variable hours contracts (eg. zero hour or short hour) must only be permitted if there is a collective agreement in place with an independent trade union, or a worker agrees to such a contract, and has had independent trade union and/or legal advice on their status. There must be no pressurising to accept zero hours contracts at the point of employment without any independent advice on their legal rights, as has been witnessed with the Working Time Regulations opt-out.

#### **iv) Enforcement of existing law to be treated seriously**

The state enforcement structures in the UK are woefully under-resourced and in many cases ineffective. Prosecutions are rare and sanctions pitiful. This is not the deterrent needed to dissuade employers from exploitative contracts and conditions and Unite strongly urges the Government to extend and invest in the state enforcement bodies. In particular HMRC should urgently receive increased resources to ensure that workers are paid at least the national minimum wage, including for travel time, and that this right is effectively enforced especially given huge abuses of national minimum wage legislation in the care sector.

The immediate revocation of the changes to Employment Tribunals and particularly the introduction of fees would also strengthen the enforcement of employment law. As it stands workers have been priced out of justice. Insecure workers are unable to pay significantly over £1000<sup>30</sup> to access an ET to prove mistreatment (along with having to pay their own witnesses lost earnings and other expenses) – possibly only to retrieve a few hundred pounds owed or a declaration of contractual terms. This is obscene and a gross violation of access to justice.

New legislation could also be introduced to give accredited union reps powers to inspect workplace premises in order to support employment law enforcement. This would allow them to inspect workplaces where they have good cause to suspect mistreatment and/or to speak to workers about their rights, to receive copies of employment contracts and statements of terms and to bring enforcement proceedings if necessary.

#### **v) Tackle abuses across the supply chain and in franchised businesses**

Unite therefore believes that government action is needed to prevent insecure working through the entire contact supply chain. This culture does not provide ‘value for money’ for the people of the UK if it puts increasing numbers into insecurity.

Over the last three decades the structure of working conditions have rapidly changed with an increase in outsourcing, the use of agency workers and contracting across most sectors. A particularly common practice in some of the worst affected sectors (e.g. hotels and high street fast food outlets) has been the rise of franchising. The number of franchised units in

<sup>30</sup> <http://www.justice.gov.uk/downloads/tribunals/employment/et-fees-factsheet.pdf>

the UK have risen from 7,900 in 1984 to over 40,000 in 2011 accounting for 594,000 workers in 2011. Franchises too often stay under the enforcement radar due to their size and association with trusted brands. They can, however, have some of the worst employment practices, as is clear with hoteliers and fast food chains.

Public services have also been a major driver of insecure working. As the rate of outsourcing, commissioning contracts and cuts have increased, so too has the use of zero hours contracts and the race to the bottom in staff pay and terms.

Government – as the main contractor in the nation – should not wash its hands of employment practices further down the supply chain. Government must only award contracts to those employers who police their entire supply chain and eliminate insecure employment. There should be laws requiring such good practices in relation to all public services required or expected of local authorities and in health, education and elsewhere, to include electricity, gas, water, transport and all such outsourced and regulated franchises. There must also be systems of liability that make the ultimate contractor responsible for the employment practices across their supply chains.

**Question 12: Further to your answer to Question 11, do you think there is more employers can do to inform individuals on zero hours contracts what their rights and terms are?**

Yes, but those rights and terms are helplessly below civilised standards. Unite believes that employers should be compelled by law to provide all workers with written statements of their terms and conditions of employment before their employment starts. This statement must specify the hours that the workers is contracted to work, as well as their pay and holiday entitlements.

Statements should include details of workplace grievance and disciplinary procedures and their rights to trade union representation. Workers should also receive details of the hours that workers are normally expected to work.

Such statements should be provided before or on the day that the worker starts to work for the employer. Workers should also be provided with regular (no less than monthly) itemised payslips.

**Question 13: Are there unintended consequences of introducing any of these options? Please explain your response.**

Yes, these limited proposals will postpone the day when necessary effective action is taken to protect vulnerable working people in the UK.

Unite believes that policy proposals outlined in the consultation document totally fail to meet the Government's stated objective of '*cracking down on any abuse or exploitation of individuals.*' In some sections they even appear to be supporting the increased use of zero hours contracts. If the Government is serious about preventing the mistreatment and abuse of zero hours contract workers they need to commit to a fuller reform of UK employment law.

This response is submitted by:

**13/03/2014**

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## **APPENDIX A – Comments Unite has received**

### **University**

*"I can be kept waiting until as late as Thursday night before finding out whether I have work the next week. There is no way to predict whether I will get nothing, or 5 days' work, meaning all other things have to be put on hold until the last minute.*

*The workers on my contract are often put along with full time workers in places we are not familiar with, making us a hindrance to them, who are expected to find the time to give us on-the-job training. Full time workers also lose out on potential overtime pay since there are more zero hours staff who will snap up extra shifts."*

### **Former Domino's Pizza worker**

*"All Domino's pizza in-store staff and drivers are employed on zero hours contracts. The zero hours contracts are used as a management tool to manage staff, i.e. staff they want rid of simply get their hours whittled away so they walk out. People are afraid to become sick or have other issues as they know the management often 'payback' through cutting of hours, or giving out shifts that don't suit. As its also low paid it also affects things like tax credits. I was fortunate in that I was able to average out my hours to gain enough for working tax credits but many couldn't."*

### **Domino's Pizza Delivery driver**

*"In order to meet my outgoings I have started working for a Scottish branch of Domino's as a pizza delivery driver.*

*During the time I have been working at Domino's the number of hours I receive from week to week varies hugely, from around 6 to 15 hours a week. Having such unstable working hours means I never really know how much money I'll make from one week to the next.*

*The worst part is, if I come in to work for an evening and the shop is quiet my boss can send me home after just one hours work. This means that I only get paid for that one hour, so I actually end up losing money in the evening – as it costs me more than an hours pay to get to work.*

*I do need some flexibility in my work as I am studying at the same time, but really want more to plan my finances."*

### **Call centre worker**

*"I have worked in a call centre for a multinational firm in Edinburgh for over 5 years. During that time I have gained a great deal of experience and regularly help manage projects, which involve large numbers of staff. However, despite my length of service, experience and the responsibility I am given, my employer still keeps my colleagues and I on zero hours contracts.*

*I am only informed if I have shifts one week in advance and the hours I am given for the week can range from 0 to 48. This situation makes it virtually impossible to plan my finances, as a result I regularly feel anxious about whether I will be able to pay the rent and put food on the table.*

*The lack of job security also means that my colleagues and I feel beholden to our employer for any shifts we are given. This creates a real sense of desperation and also means that staff are unlikely to raise any issue of malpractice or mistreatment at work.*

*Ideally I wish that my employer would give me more regular hours. As a result, I have applied for other work, but there are very few vacancies out there so I feel trapped in a difficult position.”*

### **Hospitality**

*“At my current job I don't have a contract at all, although my hours are fairly reliable. It has varied in the time I've worked here from 28-37.5 hours a week - quite a big fluctuation on £6.50 an hour, but manageable (although only due to the fact that I'm fortunate to have cheap rent). My previous job - also in hospitality, but for a big company rather than an independent business - I had a formalised zero hours contract. I never worked no hours in a week, but wouldn't find out until the Sunday before the working week began how many hours I would have in the coming week - never more than 30, sometimes as few as 13. My hours were often changed on very short notice and you'd be sent home if it was quiet, so potentially work fewer hours than you anticipated. On one occasion I turned up for work and was told it wasn't busy enough for me to be needed before I even took off my coat. It also meant you didn't want to raise grievances because if one of the managers took a dislike to you the you could find yourself with fewer hours.”*

### **Sports Direct Ltd**

*“Shifts are changed, are cut without any notice, shifts vary week by week.”*

### **Hotel worker**

*“I was receiving jobseekers allowance when I put in for a job for Hotel Room Attendant. The job was from 9-5 and maybe overtime at weekends. When I got the job that is when I was told that it was a zero hours contract to which I was not at all happy about. When I asked why was it advertised at my local jobcentre as a full-time room attendant to be told no this is a zero hours contract. Like everyone else I cannot afford not to take any job as my husband's wages pays all and after 6 months on jobseeker I would of got nothing as he is in fulltime employment so I have to take anything, but zero hours is no go as come winter we will be down to working 1 -2 days a week as the hotel gets quieter which is bad also, can't even go get another job as you work 5 over 7 days so not same days you get off, we work bank holidays do not get over time rate not even time in a half so yes I agree get rid of ZERO HOURS.”*

### **Private sector care provider**

*“I enjoy the job I do I am a support worker for people with mental health problems. I am very experienced and worked as a registered learning disabilities nurse in various settings before taking time out. I feel that I don't get the opportunity to offer continuity of care to the people I am caring for, I have a lot of good ideas but can't get a proper run at it because continuity and consistence is an important part of care work. I very often get phoned at 7am to go in at 8am that day for a shift. This makes it very difficult to plan activities with service users because I am just popping in and out randomly as far as they are concerned. Many people with mental health problems need predictability and future planning with plenty of time to do very simple things that we all take for granted and I cannot commit to a day that I would like to do something such as going on an outing or preparing a meal from scratch going for a cycle. It is quite frustrating. The permanent staff seem to get the option of overtime before I get the offer of a shift. I do get holiday pay though, but I just want to work full time.”*

### **McDonalds Uk & Irl. Ltd.**

*“During quieter times of year, it is not always guaranteed that there will be enough work. This usually comes in January when bills are high and there is a lot of post-Christmas financial stress. My branch can take in up to £100,000 a week in the busier months, but won't pay out for those who have families to support. Aside from this, the way shifts are rotated sometimes, it can mean that you end up with less hours. It puts a lot of unnecessary stress on people who often have taken the job because they don't know what else to do at that*

point in their lives. Between not having guaranteed hours and the shift patterns, it is often difficult for people to go on from working there, while trying to meet their everyday needs.”

### **SERCO**

“Living with the constant threat that your hours may be cut is not acceptable and can leave me wondering if come Christmas I will be able to pay my bills. This company has no interest in its employees and employing us on zero hour contracts sums them up.”

### **Compass Group – Lloyds TSB Catering**

“hi, first sorry for my English, I going tell my experience of zero hours contract, was bad, harassment, they don't let you do your hours always they cut you hours and zero contract hours was my experience. If you are other religion they don't let you do your hours ,they give your work to other people, your employer can send you home any time, and also if your employer he don't like you he do the same cut hours and you home and contract zero hours make discrimination, experience I had before I don't want to have this experience sometime you feel like you are worse than animal, I hope trade union and all workers help trade union to stop this we are in 2013 we are not in the stone age.”

### **Charity fundraiser**

“I have only become a permanent member of staff in the last week, the first 3 months I was employed by an agency. Two weeks ago many members of staff (approx. a dozen) in Glasgow were told not to report to work as there was no work for them and in London I heard that 80 members of staff were told the same thing.”

### **Third sector**

“I was not paid at the same level as full time permanent employees. I was also not given holiday pay, without having to raise a grievance. I also had to wait 2 months before getting paid.”

### **Door Steward/Security services**

“I never knew where I would be placed, how far I would have to travel and how many hours I would get i.e. the client could shut up shop and send me away early and I would only get 3 hours for the night instead of 5 for instance. This is when I would have had to spend almost 2 hours worth of pay in petrol to get to the venue.... In fact I never had a contract at all, I signed something at my interview but after that I never got a copy and it was only one page. I can't remember what it said but it was not much.

Effectively I had a zero hours contract because the company never promised me any work at all and could change my venue or cancel it at the last minute at my inconvenience. For the first year I was never told that I could have holiday pay so it was only after working every weekend for 18 months that I found out that someone else had been paid for a weekend off they asked for....once I asked for it I got it but they never told me I was entitled to it. In 2 years I have only received one week paid holiday.”

### **RAC**

“The uncertainty of any work as only paid per job. Also sick pay as you only statutory sick pay, and holiday pay you have to save towards it.”

### **Care worker**

“We are being forced this month to move over to zero hour contracts or face dismissal.”

### **Council worker**

“The contract was arranged by my Work Programme provider and local JC+, it seems so that the unemployment figures can be fiddled, and so that the WP provider can get a huge payment.”

### **Charity shop worker**

*"I choose to only work three days a week and so far I have always had work when I wanted. An advantage of this arrangement is that I never have to work weekends or Bank Holidays unlike my colleagues on permanent 'traditional' contracts. However, unlike my colleagues on 'traditional' contracts, I do not receive any formal training, I am not invited to staff meetings or conferences and I do not receive any bonuses or other rewards. Recently all staff on 'traditional' contracts were given £50 John Lewis vouchers, even though some work less hours than I. I am aware of one colleague (on traditional contract) who recently questioned why staff on zero hours get paid less on days with shorter shop opening hours (Sundays & Bank Holidays) while staff on 'traditional' contracts are paid the same rate for all days worked. The organisation's response was to threaten that they would look into ways of making staff on traditional contracts work additional hours."*

### **Energy company**

*"Not only is it zero hours but also a 'self employed' contract which means despite being employees in practice, we have no legal rights as workers at all and no benefits. That in turn means we earn below the minimum wage (£5 per hour) and have a 20 hour trial period at £2.50 per hour. Further to this, as we're on zero hour contracts, we have to wait from week to week to see when we're called up for, this varies wildly. Last week I worked 35 hours, next week I'm working 18. It's also at very erratic hours, some days I'll have to work in the morning and evening shift (but not the afternoon), other it'll be only morning or only evening. Those of us who (try to) work fulltime are completely unable to make any kind of plans as our wages are about £100 different from week to week (This where the maximum hours worked would earn you £175 per week). It's a nightmare. I've joined a union (by myself) and hope to recruit others but it's hard because every week whole swathes of the office are sacked."*

### **Picturehouse worker**

*"It threatens my quality of life and my ability to pay bills and rent. The managers who are allowed to dictate how many hours they personally get a week don't seem to realise the stress the front of house are put under due to the unpredictable nature of the hours we are given. One week I can work 20+ hours then the next less than 8 hours. The complete disregard for the stress of this system from the management is frustrating and we are given our shifts with a week notice. Basically the cinema dictates what we are doing week to week. We give to the manager our availability for the week and are able to change this with a month's notice (I don't understand why such a long time to change this since the front of house team is only 25-30 person strong). Recently a new manager to the cinema told us that we were not being honest with our availability and that we could probably give more time to the cinema, this made me angry and forced me to tell the manager that I was unable to prioritise the cinema (I have another zero hour job with a more fairer shift delegation) and that would not be able to change my availability unless this would guarantee myself and my colleagues set shifts each week, and have recently not had as many shifts as I usually would. People still have bills to pay and need to feed themselves and their family so to make this kind of working contract a permanent and acceptable way of employment seems insane. Not to mention the lack of access to sick pay, pension plans and holiday pay."*

### **Care worker**

*"There is now a new Manager in place and I am actually fearful to ask her about my contract because there is NO job security where I work - the turnover of staff in the last 2.5yrs I have been there is quite shocking (I am now classed as one of the longer serving workers!) I just fear if I ask her and she sees that I am on 'zero hours' I'm out the door or shifts removed from me."*

### **National Trust worker**

*“There is no job security, and we are all unhappy about it. It is clearly done to avoid being in the position of employing people as permanent staff, even permanent seasonal staff. The pay is abysmal, £7.69 per hour for employees who, to a great extent, are more mature, educated, experienced individuals. This is for a job that is responsible (includes opening and closing, cashing up and making decisions on your own), quite strenuous (setting up things and standing all day) and vital to the organisation as we are the 'face of the Trust'. Whereas £7.69 would be a low salary for a full-time job, this is part-time, seasonal work, so it's not providing a living wage. Without a permanent job, I exist in a constant state of uncertainty and anxiety. I can't even move to a zero-balance credit card to pay off my credit card debt because that would require a credit check, which I would not pass since I don't have a permanent job and am earning so little money. If I have to move from my current rented accommodation (which happened to me once before when my landlady wanted to move into the house with her family), I would be required to pay six months' rent in advance because I don't have a permanent job. I simply couldn't afford it and don't know what I would do. I want to be able to pay my bills and have some financial security. Is that too much to ask? Instead, I feel trapped and quite depressed about the overwhelming uncertainty in my life. For a charity, whose motives are supposed to be altruistic, to treat their people like this is inexcusable. In the process of looking for a permanent job, I can see that this is a rapidly growing pattern. It mustn't become acceptable - offering people flexibility is one thing, cheating a large segment of the working population is another. The ability to obtain basic credit, to rent accommodation and to have some peace of mind that you have a job should be basics in today's Britain.”*

## **APPENDIX B**

### **List of identifiable employers reported to be using zero hours contracts from the Mass1 survey.**

2 Sisters	Sense Scotland
Aberdeen City Council	Shelter
Aberdeenshire Council	South Ayrshire Council
Angus Council Manual	South Lanarkshire Council
Brookfield Group	Speyside Distillers
Cape Industrial Services Ltd Aberdeen (Offshore)	Stagecoach
Carolina House Trust	Tayside Contracts Rds Perth
City Of Edinburgh Council	Tradimar Limited
Cordia	Voluntary Service Aberdeen
DFDS	West Coast Traincare
Direct Line Insurance Plc	Wood Group PSN
Dunblane: Queen Victoria School (MOD)	7 Day Catering
Dundee University	Adams Childrensware
East Lothian Council	Alleward Springs Ltd
First Glasgow	Amec - West Burton Power Station
Forth Tool & Valve	Anchor security
Glasgow City Council - General	Anglia
Hbos Plc	Apollo Group Ltd
Highland Council Cleansing	Avis Rent a Car
ICTS (UK)	Backline Logistics
Jack Kane Community Centre	Bath Law
Johnston Oils	Bmi British Midland Airways - Manchester
Kitsons Environmental	Bournemouth Airport
Lactalis	British Airports Authority BAA
Loretto H A	British Airways
Magnox North	Burnham Health Centre
Mitsui Babcock Energy (tipton)	Buzzlines Coaches
MSB-Missiles & Space Batteries Ltd	Care Community
Neary Rail	Chak89
NHS Greater Glasgow and Clyde - Recruitment Services	City of Bristol College
Norbert Dentressangle	Co-operative Banking Group
North Ayrshire Council	Countryside Homes
Paisley South H A	Daewoo Cars Ltd
Pickaquoy Centre Trust	Darwen Group
Psa	Derby City Council.
RAF Lossiemouth - ISS UK Ltd	Derbyshire Care Service
Royal Mail	Devon Partnership Nhs Trust
Royal Zoological Society of Scotland	Du Pont Electronics
Scottish Coal Ltd.	Easyjet
	Ensign

Excelsior Coaches  
Financial Services Authority  
First Rail Support Ltd  
Five Star Fish  
Ford Motor Company  
G4S Group 4 Securicor  
Georgia Pacific Gb Ltd  
Greencore Group Cakes & Desserts  
Groomfield Recruitment  
Hobbs House Bakery  
Housing 21  
Interserve  
ISS Pegasus Security  
Jacksons Transport  
Lancaster House  
Liverton Retail Park  
Lloyds Tsb Bank Plc  
M.D.J. Light Bros.  
Maddison Group Ltd  
MITIE  
Musgrave Transport  
National Exhibition Centre  
National Westminster Bank Plc  
Norbert Dentressangle (C Salvesen)  
OCS (WALES) LTD  
Online Roadways  
Orbit Housing Association  
P & O Ferries  
Park Garage  
Pontins Ltd  
Portrayal Ltd  
Premier Lifts Ltd  
Pulse Staffing  
QPR Football Ground  
RBS Group  
Rentokil Initial Cleaning Services Ltd  
Retail & Mailing Solutions  
Right Angle Consultancy Limited  
Rjm Alarms And Electricals  
Sainsburys  
Scot Group T/A Thrifty Car Rental  
Sectorguard Ltd.  
Serco Govt Services  
Smethwick ASRA

Staff Force  
Stonham Housing Association  
Tees Active LTD  
Telent  
The Aztec Hotel  
The Cavendish Hotel  
The Corp Security  
Thomas Cook Airlines Ltd  
Thrifty  
Tolworth Hospital (Your Healthcare)  
Total Staff  
Trust's Winchester & Eastleigh Resource  
Centre  
Turners (Soham) Ltd  
UK Parking Control Ltd  
Waitrose LTD  
Wfel Ltd  
Willow Homwcare