

Commission on Vulnerable Employment (CoVE)

Public consultation and call for evidence

Response from the Methodist Church

Introduction

The Methodist Church is the third largest Christian church in Great Britain, with nearly 300,000 members and regular contact with over 800,000 people. It has about 5,800 churches in Great Britain, and also maintains links with other Methodist churches totaling a worldwide membership of 70 million.

The governing body of the Methodist Church is the Conference which meets annually. The Conference has discussed employment on a number of occasions but has not dealt with this specific topic. In the time available it has not been possible to consult widely within the Church; the views expressed in this document draw on the Conference's many expressions of concern for the vulnerable and on comments made by some of our workplace chaplains.

Current areas of concern for the Methodist Church are asylum seekers, migrant workers and people earning the minimum wage.

1 What are the different factors that impact on the power relationship between employers and workers, and therefore place workers at risk of vulnerability?

The work of the Methodist Church has highlighted the following issues in relation to vulnerable employment.

Unfamiliarity with the UK's legal protections for workers.

Migrant workers, particularly those brought into the UK and managed by gangmasters, are not aware of the minimum wage, working hours, entitlement to lunch breaks and paid holidays and so on. It is, therefore, easy for employers to exploit them by demanding that they work long hours. Such employers may nominally pay the minimum wage but normally deduct money from that for transport to the place of work, which the employees are unable to control, and, for agricultural workers, for the provision of substandard accommodation.

Such workers are not able to use existing legal protections because they do not know they exist and have no opportunity to find out.

Methodist workplace chaplains (around 120 lay and ordained people who go into workplaces and talk with employees) report that some workers, particularly in the retail sector, are ignorant of their rights when it comes to working practices. Many of them have no formal contract and as employers cut staff and hours to save costs, there is

pressure to work extra hours without pay to get the job done. Retail staff do not get Bank Holidays and may not get time off in lieu.

The decline of Trade Union membership is an issue here; workers who are members of a Trade Union are aware of their rights. Those in vulnerable employment may not find it easy to access a trade union.

Immigration status

Refused asylum seekers in particular receive no benefits and are not permitted to work but many remain too afraid to return to their country of origin. They have no choice but to subsist on handouts or to work illegally. Such workers are often paid below the minimum wage, expected to work long and unsocial hours and have no holiday entitlement.

Asylum seekers awaiting a decision are also not permitted to work although they do receive benefits. However, many find the benefits inadequate and so do look for work. They are vulnerable in the same way as refused asylum seekers.

Some visa overstayers are in a similar position.

None of these has recourse to existing legal protections because they have no legal right to work in the UK.

The Methodist Church, along with a number of other organisations, continues to urge the Government to permit asylum seekers and refused asylum seekers to work until their application is determined or until they can return safely to their country of origin.

Part time workers on low wages.

Our workplace chaplains see this kind of vulnerability among retail workers, but it arises in other situations as well. As well as the pressures arising from ignorance of one's rights, many part time workers are willing to remain below the earnings threshold in order not to pay tax or NI contributions. While this may seem a sensible financial decision at the time, it creates problems with pension entitlement later in life and exposes such workers to pressure to work additional hours without pay for fear of losing their jobs.

Workers in low paid positions where there is competition for jobs.

Workers with no written contracts or on very short notice periods feel vulnerable to having their contract terminated if they do not conform, as they believe that employers have access to a large pool of workers from Eastern Europe. Once again, ignorance of employment protection legislation is an issue.

Workers suffering from stress

Whether this is related to the job, to private life or to a mixture of both, our workplace chaplains are very aware that workers who suffer stress

feel vulnerable. Employers tend to be slow at spotting the signs and dealing with them, and workers who have had time off for stress feel that when they return to work, they are regarded as unreliable and not given work commensurate with their experience and abilities.

There are examples of good practice among employers in this regard, but there are also examples of very poor practice.

2 What are the employment experiences of vulnerable workers like?

The Methodist Church is wary of sharing individual experiences without the permission of those whose stories they are. However, we have reports from workplace chaplains, local churches and other organisations which illustrate the following.

- People on the minimum wage may work at as many as three different part time jobs – cleaning, shelf stacking, school canteen etc. – and still be unable to afford adequate food for themselves if their children are to be properly fed. School canteen work is particularly difficult as staff do not get paid when the school is shut.
- Low paid workers in the retail sector, and even some managers, are rarely able to spend time with their families as the busiest times for shops nowadays are weekends and Bank Holidays. Even where they get time off in lieu, this is unlikely to be on a day when their families are not working or in school.
- Vulnerable workers are more likely than others to suffer ill health, as they are obliged to work long and unsocial hours, so have no recreation time. They are unlikely to eat healthily as they have no time to shop carefully or to cook for themselves and their families.
- Working long and unsocial hours damages the family life of vulnerable workers. Children and partners suffer, and the worker in turn may feel isolated or removed from their family, and so receive less support and affection – which they actually need more of in light of the stressful and unsocial working practices they undertake.
- The exploitation suffered by vulnerable workers leaves them feeling demoralised, as if they are not valued as people. This creates divisions in society and damages social cohesion.

3 What is the scale of vulnerable employment?

The Methodist Church has no evidence to offer comments on this question.

4 What are the impacts of vulnerable employment?

Some of this has been covered in the answer to question 2 above.

We have recently had our attention drawn to the work of Richard G Wilkinson, Professor of Social Epidemiology at the University of Nottingham, on the impact of income inequality. This demonstrates that in developed economies, health and other social indicators are worse for all levels of society, not just

the poor, where income inequality is greater. Within such societies, of course, outcomes are worse for the poor than for the rich, but Professor Wilkinson shows that outcomes even for the best off are worse, for example, in the UK than in Sweden, where income inequality is less.

This suggests that action on behalf of vulnerable workers is not only right, but also in the interest of all members of society.

5 What are the solutions to vulnerable employment?

Employees are vulnerable for a number of reasons and answers to this question must be complex. There are four things that we believe would help in some cases but this is very far from being a comprehensive solution.

- The minimum wage should be raised to a level that can be defined as a living wage. The Mayor of London calculates that this should currently be £7.20 an hour in London; Church Action on Poverty is calling for £7 an hour in the rest of the country.
- Asylum seekers should be permitted to work if their applications have not been determined within 6 months. Refused asylum seekers should also be permitted to work if they cannot be returned to their country of origin.
- Some people coming to the UK are advised by friends and those who arrange their journey to apply for asylum when in fact they are migrants. Refused asylum seekers and visa overstayers should be permitted to make their immigration applications from the UK instead of being forced to return to their country of origin. Many are too afraid to do so, and so go underground, entering vulnerable employment as a result.
- The Pay and Employment Rights Service is an independent charity based in Yorkshire which offers advice to employees and employers on their rights and obligations under employment law. Funding should be made available for this and similar organisations elsewhere in the country as they can reach people who for one reason or another are not members of Trade Unions.

6 What other evidence and information should the Commission be considering?

We have mentioned the work of Professor Wilkinson in answer to question 4. We have no other comments to make in answer to this question

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