

THE DELEGATE

Newsletter of the Bray & District Council of Trade Unions

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BOGUS SELF-EMPLOYMENT IS WRONG, SO LET'S CALL IT OUT

Connect Trade Union has recently uncovered a number of sites, including Intel, Data centres, Pharma projects and Department of Education projects, where RCT (Relevant Contracts Tax)/Bogus Self-Employment has infected the workplace and action is needed.

In a recent statement the Union has advised that it has written to the employers and served notice of its intention to take industrial action where necessary to eradicate the industry of this horrendous practice.

They have also called employers out on the misleading rates being offered to RCT/Bogus Self-Employed and where they are claiming to pay higher hourly rates (paid for by the loss of entitlements such as paid holidays, all employee protections and, in many cases, tax avoidance). Connect has also stated that if greedy employers are found undermining union members with RCT/Bonus Self-Employment with supposedly "higher hourly rates" then action will be taken to ensure that all members directly employed on site also receive this higher rate of pay (but as PAYE employees).

Concluding the statement, the Union's assistant general secretary Brian Nolan points out that RCT/Bogus Self-Employment destroys the benefits of direct employment and calls on all members to take action; *"So, if you are a victim of RCT/Bogus Self-Employment or you know it's happening in your company/on your site it's time to 'Call It Out!'.*

[RCT/Bogus Self-Employment is a practice that describes Workers as self-employed when they are in fact direct employees. Relevant Contracts Tax is a withholding tax that applies to certain payments by principal contractors to subcontractors in the construction, forestry and meat-processing industries.]

Connect Trade Union is affiliated to this Council and represents electricians, plumbers and pipefitters and apprentices in the Construction and other sectors.

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KEVIN O'BRIEN RIP

The Council noted with sadness the death of former delegate Kevin O'Brien on the 28th June 2022. A member of the Teachers' Union of Ireland, Kevin taught in St. David's Community College, Bray, prior to his retirement. He was a delegate to the Council from the TUI from January 1976 to September 1980 and was an active contributor during this time.

A native of Kilmacanogue and a resident of Bray, Kevin was predeceased by his loving wife Eithne. Our deepest sympathy go to his daughters Elaine and Jacqueline and to his wider family.

'Ar dheis Dé go raibh a anam uasal agus go dtuga Dia suaimhneas síoraí do.'

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BEREAVEMENT LEAVE AND MISCARRIAGE

The Council has submitted the following motion for consideration at the ICTU Women's Conference which will take place on the 29th and 30th September 2022 in the Slieve Donard Hotel, Newcastle, Co. Down.

'Conference calls on ICTU and all affiliates to engage with employers and campaign vigorously for the introduction of a minimum of ten days bereavement leave for all women who experience spontaneous miscarriage or are required to terminate a pregnancy for medical reasons before the 24th week of pregnancy.'

CONCERN WITH SAFE PASS COMPLIANCE ON LOCAL CONSTRUCTION SITES

Serious concern has been expressed at the last Council meeting on reports that many local construction sites are failing to check workers for SafePass credentials, which is essential under Health and Safety requirements.

Proposing the motion on behalf of Connect, Mick Ryan, called on Congress to raise this as a matter of urgency with the relevant authorities to ensure proper enforcement of this most basic requirement. He pointed out that the issue affects all unions and their members and it is simply unacceptable that there is scant regard being given to this on numerous local construction sites. "We have some major construction developments in the area at present, such as at Cherrywood where there are 1,500 workers on site, and there is a need to ensure that all those employed on such sites, whether directly or indirectly, have the basic SafePass certification." he stated.

"According to the Health & Safety Authority between 1989 and 2016 a total of 1,616 work-related fatal accidents were reported to them. Over a quarter - 338 - involved construction businesses or other businesses engaged in construction activity. It is important, therefore, that the failure to check this basic health and safety credential is stopped immediately", he concluded.

Emmet Connolly (Connect) supported the motion pointing out that induction training on sites is not happening in many cases and all workers should be checked. President Mary Diskin expressed concern that this appeared to reflect a dropping of health and safety standards in a potentially dangerous workplace environment. The motion was unanimously agreed.

PRICE GOUGING IN TOURISM AND HOSPITALITY SECTORS

The Council has called for an urgent investigation into widespread reports of price gouging and the exorbitant costs facing both foreign and domestic visitors by the tourism and hospitality sector.

In adopting a motion submitted by SIPTU, which noted that rising fuel costs; general inflation; staff shortages and the impact of the war in Ukraine are being cited as the reasons for the spiralling costs and is a 'global phenomenon', it also pointed out that if it is a worldwide problem then why are prices not rising anywhere near as fast elsewhere?

Proposing the motion, Council Secretary Kieron Connolly, pointed out that four years ago the Government restored the VAT rate from the special 9% back to the 13.5% rate. At the time many in the industry blamed the hotels particularly for this - with Dublin properties especially considered the culprits. The lower rate was subsequently restored to the sector when it was desperate for assistance during the pandemic. Hotel operators received the same financial support as other businesses generally and, of course, staff went onto the PUP scheme.

The Secretary pointed out that the Irish Hotels Federation has defended the situation but frankly much of their case just does not stack up. For instance, they argue that rooms for refugees are distorting market rates. However, whilst this reduces the available room capacity for visitors and tourists, hotels don't need to hack up rates to make up for lost capacity - as the refugee rooms are paid in full by the taxpayer.

"Hotels are jacking up their rates because they can, not because they need to. This greed is bad for tourism, bad for our image and bad for the economy. This needs to be properly addressed by the Government. Hoteliers in particular, but not exclusively, must be reined in" he concluded.

Judy Coolahan (INTO) pointed out that tourist areas in Spain are the same as here and yet no mention of that. Workers here are leaving the sector because they are not being paid enough.

An amendment to the motion, submitted by Colm Kinsella (Unite) and seconded by vice-president Mick Ryan (Connect), noted that staff shortages are a direct consequence of a failure to pay proper wages to workers following a refusal by the industry to negotiate with the relevant unions. The amendment was accepted by SIPTU and the amended motion agreed.

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SUBSTANDARD WORK AT DARGAN HALL

A SIPTU motion calling on Wicklow County Council to urgently investigate the appalling low standard finish to the exterior area of the Dargan Hall development (opposite Bray Rail Station) was also adopted by the Council. It was pointed out that the footpaths were already cracking and that given the substantial Local Authority investment in leasing this apartment complex (for 25 years), it is unacceptable that such substandard work is tolerated.

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COST OF LIVING CRISIS

Concern was expressed at the last Council meeting with the public turnout generally at the 'Cost of Living Crisis' demonstration which took place in Dublin on the 18th June, at which the several delegates attended and marched behind the Council banner.

Colm Kinsella (Unite) stated that he was very disappointed with the turnout and people needed to wake up and protest. "Pensioners and many others are suffering and they simply can't afford the rising costs of heating, food and other essentials" he stated.

Emmet Connolly (Connect) agreed and warned that it was going to get even worse in the winter months, with people staying in libraries and on the DART, etc. to stay warm.

The Cost of Living Coalition, which is supported by the Council, demand action on: Energy Costs (Control the price of heating and energy. Retrofit homes to save energy); Public Services (Abolish charges and fees for health education and childcare. Introduce free and frequent public transport); Housing (Ban evictions, freeze rents and make housing affordable); Wages and Incomes (Introduce a Living Wage. Increase wages, student grants, pensions and social welfare payments); Wealth Inequality (Introduce a windfall tax on energy companies to stop profiteering. Tax the wealthy and introduce a vacant property tax). A further demonstration is planned for the 1st October next.

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LOOKING BACK:

CENTENARY OF COUNCIL CONCERT

One hundred years ago, on Sunday 13th August 1922, the Council organised an open-air concert at Bray Head Park which included performances by a number of bands including the Irish Transport and General Workers Union Brass & Reed Band. Below is the advert for the concert which appeared in the previous day's issue of *The Wicklow News-Letter*.

Bray Head Park was the green area located on the right at the top of the walk up from the bottom of the seafront towards Bray Head (before where the chair lifts base was) - across from Naylor's Cove.



THE PETERLOO MASSACRE

The Peterloo Massacre took place at St. Peter's Field, Manchester 203 years ago this month. It has been called one of the defining moments of its age. To commemorate this seminal moment in the history of the labour movement, we publish below an extract from *Live Working or Die Fighting: How the Working Class Went Global* by Paul Mason (published in 2007).

MANCHESTER, 1819

It was 8 am on Monday 16th August. The factories stood silent and in the weavers' cottages the looms were still. For Samuel Bamford, a weaver in the Manchester suburb of Middleton, the key thing was to avoid any excuse for violence. The employers feared the new industrial workforce and today would be the most decisive day in its history. At the appointed time

not less than three thousand men formed a hollow square, with probably as many people around them, and, an impressive silence having been obtained, I reminded them that they were going to attend the most important meeting that had ever been held for Parliamentary Reform.¹

They set off for Manchester marching in battalions of 100 and with a three-tier command structure. This was the opposite of a mob; it was a highly disciplined demonstration dressed in its Sunday best, with all but the elderly forbidden to carry traditional walking sticks.

First were selected twelve of the most comely and decent-looking youths, who were placed in two rows of six each, with each a branch of laurel held presented in his hand, as a token of amity and peace; then followed the men of several districts in fives; then the band of music, an excellent one; then the colours: a blue one of silk, with inscriptions in golden letters, 'Unity and Strength', 'Liberty and Fraternity'; a green one of silk, with golden letters, 'Parliaments Annual', 'Suffrage Universal'; and betwixt them on a staff, a handsome cap of crimson velvet with a tuft of laurel and the cap tastefully braided with the word 'Libertas' in front.²

This was the cap of liberty - the international symbol of republicanism made popular by the French Revolution, which the British army had just spent the best part of 30 years in combat with. It was like unfurling the hammer and sickle in 1950s America.

Columns like this headed towards Manchester from sixteen of the surrounding towns while the city's workers left their factories and lined the streets. When Bamford's contingent ran into another, amid sun-dappled woodland, 'We met - and a shout from ten thousand startled the echoes of the woods and the dingles. Then all was quiet save the breath of music; and with intent seriousness we went on.'³

They were going to hear a man called Henry Hunt advocate ideas considered impossible at the time: votes for all, annual elections and the scrapping of import controls designed to keep food prices high. The movement's leaders were middle class professionals but its members were overwhelmingly manual workers and their families, 100,000 of whom assembled around the wooden platform in St. Peter's Field, Manchester. Here a collection of lawyers and journalists sat in expectation of Hunt's arrival. This was the biggest crowd Manchester had ever seen.

But it was not the first radical demonstration of that summer. In July the people of Birmingham had held a mass meeting that had sent waves of fear through the English aristocracy. They had not only called for the right to vote but actually taken a vote there and then. Most big cities were not recognised on the voting maps but Birmingham had elected a 'legislative attorney' - an unofficial member of Parliament for a seat that did not yet exist. It was a declaration of intent. Now the authorities feared Hunt was going to repeat this stunt in Manchester. They had banned one meeting a week before and stood ready to disperse this one if anybody mentioned voting.

It was hot. Hunt arrived at the platform and began to speak. He was a cult figure among the Manchester working class; at radical Sunday schools monitors wore lockets with his portrait around their necks instead of the traditional crucifix. But when Hunt started speaking, Samuel Bamford did something that working class activists will often do when called upon to listen to a long speech on a sweltering day. He headed for the pub.

I proposed to an acquaintance that, as the speeches and resolutions were not likely to contain anything new to us, and as we could see them in the papers, we should retire awhile and get some refreshments, of which I stood much in need, being not in very robust health. He assented, and we had got to nearly the outside of the crowd, when a noise and strange murmur arose towards the church. Some persons said it was the Blackburn people coming, and I stood on tip-toe and looked in the direction whence the noise proceeded, and saw a party of cavalry in blue and white uniform come trotting, sword in hand.⁴

This was the Manchester Yeomanry, a civilian posse recruited for the purposes of putting down working class unrest. In preparation for action their sabres had been sharpened, as had their courage, they had spent the morning in a bar. Thanks to a contemporary radical newspaper we know the name and occupation of every one of the 101 men who took part in the charge. The most common job title is publican; there were thirteen bar owners in the saddle that day. The regiment's eleven mill owners and

seven butchers also stand out.⁵ It was the city's business mafia on horseback. Hunt told the crowd to give them three ironic cheers. The terrified magistrates, observing from the window of a nearby house, interpreted this as 'most marked defiance'. The horsemen pushed through the crowd. The magistrates marched forward through a tunnel made by two lines of constables. They arrested Hunt and several others on the platform, all of whom went quietly.

Now the Yeomanry, whose horsemanship was suffering under the influence of drink, got into trouble. Surrounded by the crowd, punches, bricks and sticks were thrown. The magistrates decided the Yeomanry were 'completely defeated' and called for the regular troops who had been put on standby in the backstreets. The 15th Hussars, veterans of Waterloo, formed up and charged. The charge, wrote one officer who took part

*swept this mingled mass of human beings before it; people, yeomen and constables, in their confused attempts to escape, ran one over the other; so that by the time we had arrived at the end of the field the fugitives were literally piled up to a considerable elevation above the level of the ground.*⁶

Through the cloud of dust, onlookers saw sabres rising and falling. Samuel Bamford was on the receiving end

*For a moment the crowd held back as in a pause; then there was a rush, heavy and resistless as a headlong sea; and a sound like low thunder, with screams, prayers and imprecations from the crowd-moiled, and sabre-doomed, who could not escape.*⁷

Within ten minutes the field was clear. Bamford remembered that the 'sun looked down through a sultry and motionless air'.

*Several mounds of human beings still remained where they had fallen, crushed down and smothered. Some of these still groaning, others with staring eyes, were gasping for breath, and others would never breathe more. All was silent save those low sounds, and the occasional snorting and pawing of steeds.*⁸

The streets of Manchester were filled with wailing people running in the directions of the towns they had come from, 'their faces pale as death and some with blood trickling down their cheeks'.⁹

The newspapers named it the 'Peterloo Massacre' in a satirical reference to the presence of Waterloo troops. By modern standards it was unspectacular: eleven killed, 400 injured including 141 by sabre cuts. The news arrived in London two days later and by 5 September had reached the man who would immortalise the event in English literature.

As a place of self-imposed political exile, the Italian port of Livorno was not a bad choice for

Percy Bysshe Shelley. He had set himself up on a terrace from where he could hear peasants singing and a water-wheel creaking, while at night, fireflies glowed. It was in this romantic setting that he opened a package of London newspapers sent by express post in which Peterloo and its political aftermath were described. With a 'torrent of indignation . . . boiling in my veins' Shelley began writing *The Masque of Anarchy*, which he completed in 12 days and posted immediately to his publisher.

It has been described as 'the greatest poem of political protest ever written in English'.¹⁰ Its final verse, which begins 'Rise like lions after slumber', has entered the culture of the British labour movement. When the firefighters went on strike against the Labour government in 2003, 'Rise like Lions' was the slogan they printed on their union T-shirts. But the victims of Peterloo did not have the chance to hear Shelley's poem. Amid a welter of prosecutions that saw both Hunt and Bamford jailed, most radical publications closed and mass meetings banned, Shelley's publisher deemed it unwise for the

poem to see the light of day; it did not appear until 1832.

For all its greatness, *The Masque of Anarchy* has one major flaw: Shelley knew nothing about the working class movement that had organised the Peterloo demonstration. In Shelley's heart-rending descriptions of its economic misery the working class appears as a naive mass, noble in poverty but too poor to think; demoralised by the scale of the injustice they faced, incapable of going beyond passive resistance without exchanging 'blood for blood and wrong for wrong'. Shelley's view of the working class dictated the course of action he advocated:

*And if then the tyrants dare
Let them ride among you there,
Slash, and stab, and maim, and hew,-
What they like, that let them do.
With folded arms and steady eyes,
And little fear, and less surprise,
Look upon them as they slay
Till their rage has died away.¹¹*

This was the same strategy of passive resistance advocated by Hunt and Bamford in the aftermath of the massacre. But it was being rejected as early as the night of the 16 August itself.

In New Cross, a slum area of central Manchester, the Hussars formed a 'strong night picket' to maintain order:

As soon as it had taken up position a mob assembled about it, which increased as the darkness came on; stones were thrown at the soldiers, and the Hussars many times cleared the ground by driving the mob up the streets leading from the New Cross. But these attempts to get rid of the annoyance were only successful for the moment, for the people got through the houses or narrow passages, from one street to another, and the troops were again attacked, and many men and horses were struck with stones.¹²

After ninety minutes of this the troops opened fire. An infantry company fired three volleys, leaving four rioters seriously wounded. By the next day Manchester was a city under military occupation: 'The streets were patrolled by military, police and constables; the shops were closed and silent; the warehouses were shut up and padlocked; the Exchange was deserted; the artillery was ready.'¹³

Despite this there were riots again on 17 August, not just in the city slums but in the nearby towns of Stockport and Macclesfield, where one policeman was killed. On 19 August there were clashes in New Cross and 'on the 20th the mob of this locality fought a pitched battle with the cavalry'.¹⁴

Bamford, an opponent of physical force, described the atmosphere in industrial suburbs in the days following Peterloo:

I found when I got home that there had been general ferment in the town. Many of the young men had been preparing arms and seeking out articles to convert into such. Some had been grinding scythes, others old hatchets, others screw-drivers, rusty swords, pikels and mop nails; anything which could be made to cut or stab was pronounced fit for service. But no plan was defined - nothing was arranged - and the arms were afterwards reserved for any event that might occur.¹⁵

The meekness and intended pacifism of the working class at Peterloo were central to Bamford's legal defence when he was tried for sedition and became accepted facts among socialists in the mid-century, who saw the Peterloo generation as political beginners, naively attached to their middle class leaders. Shelley's poem did not help, surviving while the press accounts faded and perpetuating the idea that the

movement assembled at St. Peter's Field was simply a vast crowd of disorganised workers.

Closer examination of the sources reveals a different truth: in the months leading to Peterloo the workers of the Lancashire cotton industry built a network of organisations so sophisticated that they foreshadowed anything achieved by the labour movement in the next 200 years.

Notes:

1. Bamford, S. *Passages in the Life of a Radical*, London, 1967.
- 2.- 4. Ibid.
5. *Manchester Observer* 10 August 1822. Quoted in Read D. *Peterloo: The 'massacre and its background*. Manchester, 1958.
6. Sir William Joliffe in Bruton, F.A. *Three Accounts of Peterloo by Eyewitnesses*. Manchester, 1921.
7. Bamford, S. op.cit.
8. Ibid.
9. Prentice, A. *Historical Sketches and Personal Recollections of Manchester intended to illustrate the progress of public opinion from 1792 to 1832*, Manchester, 1831.
10. Holmes, R. *Shelley: The Pursuit*, London, 1974.
11. Shelley, P. *Shelley's Revolutionary Year: The Peterloo Writings of the Poet Shelley*, London, 1990.
12. Joliffe, op. cit.
13. Bamford, S. op. cit.
14. Read, D. op. cit.
15. Bamford, S. op. cit.

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