

Brighton Solidarity

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ECONOMICAL AGREEMENT WITH CAFFE BAR ITALIA AFTER FIVE MONTHS IN THE STREETS

After a 5-month campaign by Brighton Hospitality Workers, a former cafe worker has won back part of money owed. The dispute was partly over unpaid holiday allowance but the main issue was over contracted hours. When she was offered the job the contract was for 20 hours per week at minimum wage - yet in practice the cafe did what they wanted. Here Yolanda talks about her experience working at the cafe, and how it affected her life as a migrant worker.

I came to England to improve my English, meet people and learn about the culture, while working here. I was happy that I got a job as soon as I arrived. I thought a 20 hour per week, minimum-wage job would cover my living expenses and I could spend the remaining time improving my English. But pays were late and, moreover I was expected to do unpaid overtime, there simply wasn't enough time to do all the work, and I had to stay about an hour late. I had to pay my rent with money I had for emergencies.

One day I went to work and, without prior warning, I was told to leave because they had no customers. I told them how unfair it was for me and how it affected my life. It took me an hour to walk to work (I couldn't afford the bus). But he kept on doing it, some days I was told via whatsapp not to come in just a few minutes before the start of my workday, on other days I was given a few hours notice, either because there were fewer customers than had been expected or because the shifts were poorly organized. If only he notified me earlier, I would have time to reorganise my day... He refused. He said that was all he could do, that without customers there is no money and that it was better not to work than to work and not get paid.

After I talked to the manager's wife about my situation, there were a couple of weeks where they actually stuck to the contract - but then they began to do the same with a workmate. I felt terrible about this because he had a child and a partner who depended financially on him. At this point I realised that nothing would change so I looked for another job.

WE GO ON FIGHTING WAGE THEFT IN THE STREETS

Last month our activity in the hospitality sector carried on growing. We are consolidating an effective practice for fighting wage theft through direct action. Brighton SolFed is now more and more well known among Brighton workers (and employers). Here are some examples in brief:

- Fish and Chips on the Seafront had their staff working cash in hand. They paid below minimum wage arguing that they were deducting taxes. However, workers did not provide their National Insurance Number at any point. Two of the workers had left their jobs and the company owed them worked hours and holiday entitlement (£560 in total).

After some unsatisfactory conversations (in some of which the manager denied knowing the workers) we decided to start a public campaign. We visited several workplaces of the company, talking to the workers about the dispute and giving them information about their basic rights. At last the boss decided to pay up before we had to take further action.

-Two former kitchen porters of a pub in Hanover area were owed worked hours and holiday entitlement (£640 in total). After several attempts from the workers and from SolFed to talk to the management we started with actions.

The evening of St. Valentine's Day, about twelve comrades held a romantic picket outside the pub. A large majority of customers decided to choose another pub after they



heard the workers' explanations, leaving the business almost empty. The attitude of the company changed immediately, they did not ignore us anymore. After some conversations (in which the management did not recognise SolFed and threatened us and the workers with legal action) they paid up.

-A kitchen porter from a pub in Western Road area was sacked. They owed him holiday entitlement and notice period pay (£718.25). As usual, the management ignored any attempt from us or the worker to find a friendly solution.

Thus on St. Patrick's Day, after a new unsatisfactory conversation with the management, a picket composed of around fifteen people started outside the business. Ten minutes later the manager appeared in his smart car. After telling us that we were in the wrong he promised to pay the entire amount owed. Finally they did.

Those are just three examples from a list that is constantly growing. We are proving that it is possible to confront these abuses, and so there are no more excuses for passivity.

However, for us to win is not the most important thing but how you do it. We did it all by ourselves: workers helping each other without leaders, representatives, paid officials or state funds - just solidarity.



Need help?

Go up to our office for legal advice.

Monday and Thursday 5pm to 8pm

at 52 Providence Pl.

A RESTAURANT IN THE LANES PAID UP!

In the hospitality sector in Brighton it is very common to find employers who do not pay the minimum wage or pay the holidays owed to their workers. This problem is more common for migrants who do not necessarily have a great command of language or a thorough knowledge of labor laws. This was the case for an employee of a restaurant in The Lanes. His situation in the workplace was made more complicated by the fact the rest of the kitchen staff, like him, were migrants, so communication was very difficult.

He was paid minimum wage, 6.5 pounds per hour, and last minute changes to the rota were quite common, sometimes reaching up to 50 hours per week. Taking advantage of the difficulties in communication and the lack of labor legislation, his boss tried to convince the worker not to take his holiday, and then refused to pay the holiday entitlement."

After two and a half months, the worker decided to leave the job. A decision motivated not only by the problems he had with the working hours and poor wages, but also because it was difficult to organise a collective response from the kitchen staff so they could put an end to their precarious situation in the workplace.

The worker continued to claim the holiday pay he was owed after leaving the job but the payment did not occur until the worker, accompanied by other members of SolFed, told the boss they would start a campaign against wage theft if they weren't going to pay him.

NOTICE PERIOD: THE FACTS

A 'notice period' is the amount of time an employer is required to give a worker if they are ending their employment - dismissal or redundancy for example - and also the amount of time a worker is required to give their employer if they intend to leave their job.

There are 2 types of notice period: 'statutory' and 'contractual'. A 'statutory' notice period is the minimum amount of notice that an employer or employee is required to give according to employment law. A 'contractual' notice period is the amount of notice that an employer or employee is required to give according to the terms & conditions of the job, which can exceed the statutory minimum but cannot be less.

Statutory notice: this requires the employer to give notice of 1 week to the worker if they are ending their employment, but only if the worker has been employed for 1 month or more. An employer is not required to give any notice to a worker if their employment is ended before they have worked one month. The notice period an employer is required to give rises to 2 weeks if the worker has been employed for 2 years or more. Similarly, a worker is required to give notice of 1 week to their employer if they intend to leave their job, no matter how long they've been employed.

Contractual notice: a worker's terms & conditions might require an employer to give more than 1 week of notice if they are ending their employment, and also might require a worker to give more than 1 week of notice if they intend to leave their job. If this is not included in the worker's terms & conditions then the statutory notice period applies.

Share this information with your colleagues and contact Brighton SolFed if you or your colleagues need support to demand notice pay or any other employment right, including unpaid wages or holiday entitlement, harassment or break times.

GATEKEEPERS TO HEALTH

The Immigration Act of 2014 has far reaching strands that pushes society further to the right. It affects many areas of life such as housing and health. In health, the government want clinical, administrative and auxiliary staff to enquire to and report on the immigration status of patients, which could lead to charging or the withholding of healthcare services.

This Act creates charging for in-patient services and a health surcharge on visa applications to anyone who is not ordinarily a resident to the UK. There are some exempt services and groups of people. The aim of the Act is to punish those who are vulnerable

and aims to divert attention away from those who benefit from capitalism, by stigmatising other areas of society. They claim it is to finance a strained NHS, avoiding the real pressures being applied through marketisation and re-organisation.

Healthcare should be available to all and not a few. The need for care outweighs any excuse to withhold or challenge someone's access to healthcare, for example whether they have the ability to pay or where they have come from.

This Act forces health staff to become gatekeepers to healthcare and encourages us to police the

people we treat. This administrative oppression will harm people physically and mentally, whilst extending a wider culture of fear for migrants.

We refuse to do the dirty work of the government and will fight this anyway we can. For a more detailed explanation of the Immigration Act's implementation in the NHS and what you can do, check out the Health and Social Care Network's pamphlet on this. The pamphlet suggests ways in which NHS workers can collectively sabotage the implementation of migrant worker gatekeeping and has links to other groups engaged in resistance.

This is solidarity, not charity - An injury to one is an injury to all!



Brighton SolFed is a local anarcho-syndicalist union based on the idea that through solidarity and direct action, ordinary people have the power to improve our lives.

Our aim is to promote solidarity in our workplaces and outside of them, encouraging workers to organise independently of bosses, bureaucrats and political parties to fight for our own interests.

Our ultimate goal is a stateless, classless society based on the principle "from each according to their ability, to each according to their need". We see such a society emerging out of working class struggles to assert our needs in the here and now.

Our activity therefore aims to build struggles which both benefit us all now and bring us closer to the society we want to create. We are not a state-registered trade union or political party. Nor are we a service provider - we can't solve your problems for you.

What we are is fellow workers who are sick of being screwed around ourselves and want to do something about it by helping each other. If that's how you feel too - join us! We are stronger when we stand together and organise.

brighton@solfed.org.uk

brightonsolfed.org.uk

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