

Unite response to “Baroness Lawrence’s review into the impact of Coronavirus on Black, Asian and Minority Ethnic (BAME) communities”

This submission is made by Unite, the UK’s largest trade union with over one million members across all sectors of the economy including health, transport, manufacturing, financial services, food and agriculture, information technology, service industries, construction, energy and utilities, local government and the not for profit sector. Unite also organises in the community, enabling those who are not in employment to be part of our union.

Unite represents c.70,000 Black & Asian ethnic minority workers across the economy, and this response is directly informed by their experiences and the views of Unite BAEM workplace, branch, regional and industrial sector representatives and through a special meeting of Unite’s National Black & Asian Ethnic Minorities Committee which forms an integral part of our response.

Unite Rules include Regional and National Structures to ensure BAEM representation. : Regional and National BAEM Committees, elected through Regional BAEM Conferences, a National BAEM Conference, and by rule every committee and conference of the union is required to have delegates who reflect as a minimum the proportion of BAEM members they represent. This is monitored and required by rule to be reported to Unite’s Policy Conference.

Susan Matthews is the Chair of Unite’s National BAEM Committee and elected by Unite BAEM members as the representative of BAEM members on the Unite Executive Council. **Harish Patel** is the National Officer for BAEM Equalities, and **Diana Holland** is the Assistant General Secretary for Equalities. There are Regional Women & Equalities Officers in every region/nation.

This response is in 3 sections with our priority focus being on actions that need to be taken now, and on ensuring the views and experiences of Unite Black & Asian eblackthnic minority Members are at the forefront:

- **Unite Key Points and Recommendations for Action**
- **Greater exposure to the risk and impact of Covid-19 because of our structurally unequal labour market and society**
- **The views of Unite Black & Asian Ethnic Minority Members :**
 - **The impact of Covid19 on Black & Asian ethnic minority people in our workplaces and in our communities**
 - **Action that has been taken on the impact of Covid19 on Black & Asian ethnic minority people in our workplaces, our sectors and in our communities**
 - **Key points for action needed on the disproportionate impact of Covid19 on Black & Asian ethnic minority people**

1. Unite Key Points and Recommendations for Action

The recommendations which follow are complementary to the specific recommendations contained in the PHE report “Beyond the Data : Understanding the impact of Covid19 on BAME Communities”, published following the outcry over lack of recommendations in the earlier “Review of disparities in the risks and outcomes of Covid19.” Unite calls for implementation and action now as a priority. The recommendations are underpinned by a requirement for **equality and ethnic monitoring information**.

1.1 Equality impact assessments are essential, alongside Risk assessments, in relation to all aspects of Covid19, both with full union involvement. This is vital for the protection of all black & Asian ethnic minority communities : health, safety, jobs and income, and to ensure deeply entrenched existing racism is identified, exposed and acted on, and not widened and further entrenched by the pandemic itself and by measures to combat the pandemic. Unite believe the EHRC must issue guidance to employers, drawn up in consultation with trade unions, on meeting Equality Act obligations, strengthening the current advice¹. Unite has developed a **Covid19 Equality Checklist** to assist our representatives and members :

<https://unitetheunion.org/media/3106/unite-next-steps-covid19-equalities-checklist2.pdf>

Additionally, Unite is calling for the EHRC to conduct an Equality Impact Assessment on government policies, actions and legislation.

The example of the Care Quality Commission Equality Impact Assessment demonstrates how this can ensure Black & Asian ethnic minority people are better protected²

1.2 BAEM-sensitive Covid19 Risk Assessments and additional control measures that can be put in place as part of a risk assessment are required, ensuring that risk assessments involving BAEM employees address the elevated risks of Covid19 they are facing. Unite has produced a specific guide which confirms that employers have a duty to consult union representatives on all health and safety matters, including how they manage elevated risks to BAEM employees from Covid-19, and proposes setting up a specific workplace task group to manage BAEM sensitive issues related to Covid 19, made up of the most senior managers and union reps <https://unitetheunion.org/media/3137/203-baem-covid19-hsguide-20-06-12d.pdf>

1.3 Action to tackle race discrimination in the workplace needs to be strengthened. Unite strongly supports action to tackle ethnicity pay gaps, as well as the requirement to measure and report on them. Unite also recommends that mandatory equality audits and statutory rights for union equality representatives are introduced, including specific requirements on race equality and action to support the progression of black & Asian ethnic minority people at work. Unite has developed a “Race Forward” Campaign for tackling race

¹ <https://www.equalityhumanrights.com/en/advice-and-guidance/coronavirus-covid-19-guidance-employers>

² <https://www.cqc.org.uk/news/stories/dr-kevin-clearly-protecting-peoples-safety-equality-rights-during-coronavirus-covid-19>

discrimination in the workplace, which is overseen by Unite's BAEM structures. It sets out clear practical action needed in ALL workplaces to :

- ✓ Close the ethnic minority employment gap
- ✓ Tackle the pay gap for black workers
- ✓ Fight for equality of opportunity in promotion
- ✓ Deal effectively with Racial Harassment, Discrimination and Bullying
- ✓ Promote fairness for black women workers
- ✓ Negotiate for Union Equality Representatives
- ✓ Ensure fair treatment of migrant workers
- ✓ Organise and recruit BAEM workers into the union
- ✓ What to do if the employer will not monitor or conduct an audit

<https://unitetheunion.org/media/1458/race-forward-campaign-pack.pdf>

As part of strengthening action to tackle race discrimination in the workplace, **Unite also calls for the government to ratify and then implement the ILO Convention 190 on Violence and Harassment in the world of work 2019³.**

1.4 Action on our structurally unequal labour market and society to address greater exposure of Black & Asian ethnic minority people to the risk and impact of Covid19

- It is clear that the structural inequality, discrimination and entrenched disadvantage faced by Black and Asian Ethnic Minority workers have meant an unequal exposure and impact of Covid-19. The disproportionate impact of austerity and the cumulative impact of changes to taxes, benefits and public spending from 2010 on Black & Asian ethnic minority households, and in particular on BAEM women has been powerfully documented by the Fawcett Society and Runnymede Trust⁴, and the Joseph Rowntree Foundation 2019-2020 Poverty Report⁵, and is now tragically and shamefully being documented in relation to Covid19.⁶
- Black and Asian ethnic minority workers and BAEM women in particular, are over-represented in the low paid, insecure and under-valued occupations and sectors that our society is now finding essential⁷. These are also the occupations and sectors where there continues to be a high risk factor. The structural inequality faced by Black and Asian ethnic minority workers must be part of the government's inquiry into the disproportionate deaths of those from BAEM backgrounds.
- Unite believe crucial steps in protecting workers are the need for the proper provision of PPE, the increased coverage of and raising the level of Statutory Sick Pay so that workers are safe at work and are not compelled to go into work when they should be self-isolating. These steps

³ https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C190

⁴ <http://wbg.org.uk/wp-content/uploads/2018/08/Executive-Summary-Intersecting-Inequalities-October-2017.pdf>

⁵ Joseph Rowntree Foundation report identified the high and disproportionate levels of poverty in black households

⁶ <https://www.fawcettsociety.org.uk/coronavirus-impact-on-bame-women>

⁷ TUC: Black, Asian and minority ethnic workers are over a third more likely than white workers to be stuck in temporary or zero-hours work. 2017

are important in tackling the disproportionate impact of Covid19 on BAEM people

- The reports of racial and other harassment from front line workers in particular, including in Unite, strengthen the call for a duty on employers to prevent harassment, discrimination and bullying as well as the reinstatement of Section 40 of the Equality Act on employer's duties to prevent harassment from third parties
- The particular exploitation faced by migrant workers and migrant domestic workers requires specific action to ensure decent work, pay and conditions, health and safety, and to address discrimination, trafficking and modern slavery. The reinstatement of the rights of migrant domestic workers is vital to end this long-standing injustice

1.5 Action needed on the disproportionate impact of Covid19 on BAEM people which addresses underlying systemic and institutional race discrimination and changes the agenda – overarching recommendations from Unite BAEM leadership :

- **Equalities must be on every agenda, everywhere, so we have change**
- **We must audit everything and expose race disparity** – disparity in lives lost, in job losses, in progression at work, in pay, in housing, in education, and in the criminal justice system both as victims and as suspects.
- **Risk Assessment must be robust, enforced, with unions fully involved, and must include BAEM-responsive risk assessment to specifically protect Black and Asian ethnic minority workers**
- **Black and Asian ethnic minority workers have been on the frontline of the pandemic keeping the country going and working to save lives and keep us all safe during this pandemic – we must pay tribute but do so much more than just clap** – and before the policy changed, it was a national disgrace that front line health workers were being charged for NHS healthcare
- **Black history needs to be known, understood, recognised as part of all our lives and history – racism is not new, it is hundreds of years old** – strengthening our links globally and as the Labour and Trade union movement together, we must tell our story, and ensure Black History and the history of colonialism is taught to our children and a central part of all our education
- **High profile leadership and explicit messages of support for the black community** - this is essential for a community under severe socio-economic pressure, a community who

even before the Windrush period were a vital and important part of British life, who fought for Britain in the world wars yet still suffered racism and exclusion. We need a strong and well resourced black leadership within the labour and trade union movement so that black voices can be amplified. Solidarity and support messages from across the labour and trade union movement make a vital difference.

- **Government action is needed, we are dying disproportionately** – the reports have been important, but the late publication of the recommendations for action was shameful, and implementation is now what is needed. Government should be ensuring specific guidance is reaching BAEM people in the community, so that black, Asian and ethnic minorities people are protected from further casualties within the context of the pandemic
- **Under-representation in higher grades and lack of progression of black & Asian ethnic minority people** in work have placed us at higher risk as disproportionately lower paid workers, as front line workers, and more likely to be facing pay and job instability on zero hours or insecure contracts, or threat of redundancy
- **The disproportionate impact of Covid19 on black and Asian ethnic minority people**, including specific impacts on Black and Asian ethnic minority women, has been measured and identified. We need to act now to deal with and prevent this terrible cost
- **Mental health support is an absolute priority** and listening support groups can play an important part

2. Greater exposure to the risk and impact of Covid-19 because of our structurally unequal labour market and society

The greater exposure to the risk and impact of Covid-19 is being felt unequally because of our deeply and structurally unequal labour market and society. Unite has always taken a leading role in fighting the deep and structural race discrimination in our labour market, alongside sex discrimination and other inequalities. While the virus does not discriminate it is clear that the structural inequality, discrimination and entrenched disadvantage faced by women, Black and Asian Ethnic Minority workers, disabled workers, LGBT+ workers, and intersectional discrimination faced by BAEM women, have meant an unequal exposure and impact. Most tragically this has seen the higher proportion of deaths of Black and Asian ethnic minority workers.

We also know that of the eight critical sectors identified by the government, there is a higher representation of Black and Asian ethnic minority workers in five – health and social care, education and childcare, cleaning, food (retail, production, processing and distribution) and transport. Unite would highlight passenger transport in particular in this final sector. In other sectors, such as social care, we know there are a high number of Black and Asian ethnic minority and migrant women.

It is also the case that essential workers have faced increased racial and other forms of harassment in the workplace and heightened levels of aggression where they have public facing roles. This underlines the need for a duty on employers to prevent harassment, discrimination and bullying as well as the reinstatement of Section 40 of the Equality Act on employer's duties to prevent harassment from third parties.

The TUC report 'Living on the Edge' from January 2018 looked at the rise of workplace insecurity, with 3.2 million workers being classified as insecure at that point. As well as finding that casual workers were more likely to be young and Black and Asian Ethnic Minority workers it found that these working practices led to poorer mental health as workers found themselves under strain and struggling with the financial insecurity and inability to plan your life that such work brings⁸.

TUC analysis has previously shown how Black and Asian Ethnic Minority workers are much more likely to be trapped on agency, zero hours and temporary contracts⁹ and there is an ethnicity pay gap with those from Black and Asian Ethnic Minority backgrounds typically paid less than White colleagues. The recent Runnymede Trust report 'The Colour of Money' details the economic inequality in greater detail, outlining that Black and Asian Ethnic Minority workers are more likely to be in insecure employment or to become unemployed. They are more likely to be held back from progressing as quickly or as much at work and they are disciplined more often, and more likely to be delegated menial tasks at work¹⁰.

Workers in insecure, temporary, agency and zero and short hour contracts feel less able to raise health and safety issues at work as their future income – and financial security - is dependent on

⁸ TUC, January 2018 – Living on the Edge. Please see <https://www.tuc.org.uk/research-analysis/reports/living-edge-0>

⁹ TUC, April 2019 – BME workers far more likely to be trapped in insecure work TUC analysis reveals. Please see <https://www.tuc.org.uk/news/bme-workers-far-more-likely-be-trapped-insecure-work-tuc-analysis-reveals>

¹⁰ The Runnymede Trust, April 2020 – The Colour of Money. Please see <https://www.runnymedetrust.org/projects-and-publications/employment-3/the-colour-of-money.html>

their compliance. This was a serious issue before the emergence of Covid-19 – it has only heightened in importance now. Workers must be able to raise and report problems, dangers and risks where they emerge. While there have been many examples of good employers, there are also many bad employers whose actions can not only jeopardise their workers, but those workers’ loved ones and local communities. Unite would also highlight that many of the critical sectors and the workforce at higher risk and recognised as essential and valued workers are also the workforce that experience low pay, poorer terms and conditions, higher levels of insecurity, and are less able to assert their rights at work. This should provide a wake-up call and a recalibration of the jobs we value as a society.

Migrant workers in particular are at greater risk of not knowing their rights at work, as well as being in insecure work that makes it harder to assert their rights at work. A report by Labour behind the Label ¹¹of the situation in factories in Leicester, where it is estimated that “most garment workers are from minority ethnic groups”, particularly highlights “vulnerabilities linked to ethnicity”. Migrant domestic workers, also members of Unite, were in an extremely difficult position before Covid19 following the damaging changes made to the Overseas Domestic Workers Visa first introduced in 1998. The terrible impact of Covid19, with no recourse to public funds, is documented in the attached report from Voice of Domestic Workers¹² and in Kalayaan’s attempts to engage with the minister to request that all workers are protected during the pandemic¹³
<http://www.kalayaan.org.uk/news/migrant-domestic-workers-must-not-be-forgotten-in-the-fight-to-battle-coronavirus/>

The consequence of over-representation in lower paid sectors and occupations of women and Black and Asian Ethnic Minority workers is a higher incidence of poverty. For Black and Asian Ethnic Minority workers this leads to them being more likely to be living in overcrowded and/or poor quality housing and to live in urban areas with poorer air quality. All of these are factors that lead to higher incidents of poor overall health and a higher incidence of conditions such as diabetes and hypertension – conditions that are more likely to cause complications with Covid-19 and increase the risk of people dying. The remit of the Government inquiry looking at the higher incidence of Black and Asian Ethnic Minority deaths must include the impact of the structural inequality that those communities experience.

Ensuring all workers are treated with dignity, respect, security, fairness and receive a real living wage would have an important impact on Black & Asian ethnic minority workers in relation to Covid19. There is an urgent need to bring security to people’s jobs, earnings and livelihoods, our health, safety and well-being, and universal access to our social security and public services as part of ensuring everyone has safety and justice. Specific action is also needed on :

- **Personal Protective Equipment (PPE)** - Unite continues to hear from members across our industrial sectors where they are performing essential work that not only are workers not being

¹¹ “Boohoo & Covid19 : The People behind the Profits” June 2020

¹² “Migrant Domestic Workers and Covid19: Risks facing front-line Care Workers” Dr Joyce Jiang

¹³ <http://www.kalayaan.org.uk/news/migrant-domestic-workers-must-not-be-forgotten-in-the-fight-to-battle-coronavirus/>

given sufficient PPE, there are continued issues around lack of training in how it should be used effectively, that it does not fit properly and of out-of-date PPE ¹⁴

- **Statutory Sick Pay (SSP)** should be increased so that it is at an equivalent level to a real living wage and should continue to be paid from day one, with the lower earnings threshold abolished, so that workers are not compelled to go into work when they should be self-isolating. Many of those falling below the lower income threshold are women, including BAEM women
- **Extension of the Covid19 Job Retention Scheme and the Self-employed income support scheme** for as long as it is needed to limit the depth of the slide into economic recession that we now face and to address issues that have arisen. There is also a concern that as economic conditions worsen those who already face discrimination in the labour market will find it hardest to retain and to gain employment, including Black & Asian ethnic minority workers. Unite support the TUC calls for the CJRS and the SEISS to be further extended, including specific sectoral support. The Runnymede Trust have pointed out they believe that Black and Asian ethnic minority workers are less likely to have benefitted from the scheme because of higher representation amongst the temporary workforce, which requires attention.

These steps are very important in tackling the disproportionate impact of Covid19 on BAEM people.

The current crisis, the disproportionate impact of Covid19 on Black & Asian ethnic minority workers and the need for a standards led return to work has shone a light on the need for greater security in employment relations. Unite has long supported a strengthening of individual employment and collective trade union rights, including classifying all but genuinely self-employed people as employees, ending zero and short hour contracts and strengthening trade union rights to access workplaces and introducing sectoral collective bargaining.

As a country we do not start from a position of strength in terms of the overall economic situation and its ability to withstand shocks and the low financial resilience of households as a direct result of Government policies, since 2010. The last decade in particular saw an increase in insecure and low paid work and its spread across economic sectors and deep cuts in funding to public services, an increase in privatisation, outsourcing and cuts to contracted support services from the not-for-profit sector. The public health crisis and its economic impact as well as the disproportionate impact of Covid19 on Black & Asian ethnic minorities, demand universal access to public services and social security to ensure people's safety and justice. This includes meeting the funding needs of social care, domestic violence providers, ending the charges and barriers that migrants face by scrapping the No Recourse to Public Funds (NRPF) scheme and raising the level of Universal Credit and benefits, as well as expanding coverage.

¹⁴ Evidence from a Unite Officer *"The company employs a majority of BAEM workforce. During the peak of the Covid19 crisis, social distancing wasn't being enforced, there were no social distancing 2-metre markers, insufficient hand gel and other forms of PPE, no barriers between employees and the public. Cleaners were advised to use socks as face coverings! Workers on the front line were quite literally surrounded by crowds. Unite has been working with employers to resolve this."*

3. The Views of Unite Black & Asian ethnic minority members

**SUMMARY REPORT
of
A Special Meeting of the
UNITE NATIONAL BLACK & ASIAN ETHNIC MINORITIES
COMMITTEE
held as an online meeting on 10 June 2020**

The National Black & Asian Ethnic Minorities Committee convened a special meeting to share their experiences and raise their concerns, to reinforce the message about the disadvantaged world that they face, so that the Union can better understand their needs and take appropriate actions to support.

In opening the meeting, the chair, Susan Matthews stressed there were two key elements to the meeting :

1. The disproportionate impact of COVID 19 on Black and Asian ethnic minority people and the PHE Report
2. Institutional racism and systemic structural racism in the UK, and the impact of the death of George Floyd in the USA in recent days and Black Lives Matter

These key issues have no doubt drawn attention to the major issue of institutional racism in the USA and in the UK, and given fresh incentives for the BAEM community/UNITE to join forces in campaigning to ensure Black Lives Matter in the fight against racial injustices and offering support to Black and Asian ethnic minority people in the UK and across the world. As well as the Workers Uniting statement on Black Lives Matter, Len McCluskey's statement has been sent to all members as part of the 'Here for You' newsletter.

The chair also confirmed that in addition to Harish Patel, the National Equalities Officer : BAEM, Diana Holland, Assistant General Secretary for Equalities had also been invited, as had Amy Jackson from the Political Department, Chantelle Brown Equalities specialist national tutor, Regional BAEM Officers/RWEO West Midlands Maureen Scott-Douglas and London & Eastern George Dodo-Wiliams, together with RWEO Scotland Siobhan McCready. The chair confirmed that Unite BAEM members' experiences need to be raised politically and put to

government, as well as taken up industrially in sectors and workplaces, in the wider community across regions and internationally, and stressed the importance of Unite Equalities Education and the Unite BAEM Leadership course, and risk assessment including the Unite BAEM Covid19 Health and Safety Guide, which has been developed with Rob Miguel Unite Health and Safety officer. The chair also confirmed that Alberta Mills secretary to the National BAEM Officer would be taking notes, and that the session was being recorded. She asked anyone with concerns regarding the recording to confirm them with Alberta Mills.

Industrial Sectors represented at the meeting :

- Transport
 - Passenger Transport
- Services
 - Health
 - Local Authorities
 - Finance & Legal
 - Community, Youth workers & Not for Profit
 - Education
 - Private Service Industries including social care
 - Construction
- Manufacturing
 - Automotive
 - Aerospace & Shipbuilding
- Food, Drink & Agriculture
 - Food production
 - Food retail

Regions represented at the meeting :

- London & Eastern
- West Midlands
- East Midlands
- North East, Yorkshire & Humberside
- North West
- South East
- South West
- Scotland
- Wales
- Ireland

KEY ISSUES DISCUSSED :

1. What has been the impact of Covid19 on Black & Asian ethnic minority people in your workplace, your sector and in your community?
2. What action has been taken?
3. What are the key points for action needed on the disproportionate impact of Covid19 on Black & Asian ethnic minority people?

3.1 The Impact of Covid19 on Black & Asian ethnic minority people in our workplaces and in our communities

The experiences of Covid19 in different workplaces and sectors were fully discussed, including personal experiences of having suffered from Covid19, deaths of workplace colleagues and family members, and the disproportionate impact of Covid19 that was clear in relation to Black & Asian ethnic minority workers.

While it was recognised that the virus does not discriminate, people do, and structural race discrimination underlies the disproportionate impact of Covid19 on BAEM people. This includes all aspects of life alongside working life. For the future, already it is clear jobs under threat include sectors and occupations with higher proportions of BAEM workers.

The ‘fear factor’ is being faced by workers feeling their jobs are under threat, and where there has been the suspension by employers of collective bargaining agreements and safeguards agreed with unions over working conditions and working time, workers are being put under intense pressure. BAEM workers, already in high proportions in front-line jobs, under-represented in higher grades and more likely to be in lower paid, more precarious work, are also facing additional pressure to do more hours, including on the front line, putting them at further risk. The example was given of catering workers in schools, where a higher proportion are BAEM workers, and confusion over the guidance on the wearing of face masks – the difficulties of practising social distancing with children, especially younger children, were also stressed.

The point was also made that where the union is more strongly organised, while the fear has not gone away, “we have worked through it”; reps and members have been more able to “take control” of the situation and to act, with less dependence on anyone else for action.

The disproportionate impact of Covid19 is exposing the reality of black and Asian ethnic minority people’s lives, and is causing angry and passionate responses because of the pressure intensifying and the injustices being exposed. An example was given from the past of a workplace where swastikas and racist graffiti were not acted on by the employer, and how it took a change of manager before the employer took it seriously as an issue.

The devastating images of the final moments of George Floyd’s life, captured in 8 minutes 46 seconds of film, were also raised, and the powerful call that this terrible loss of life be acted on. Examples were given of younger family members being moved to act for the first time, and older members proud of the speeches and heartened by young people taking a stand, either attending practising social distancing or who did not attend for personal safety reasons, but put up a Unite poster in their window at home, in support of black lives matter.

‘Fake news’ in relation to Covid19 was also raised as being a serious concern, particularly where racism is part of the fake news, and front line workers in the bus industry and in health described pressure they had been put under and racist abuse they have been suffering. The need to have accurate information, including of the impact on BAEM people was raised as vital.

The 'fear factor' was also raised in relation to BAEM people being frightened to go to hospital, and families wanting to take family members out of hospital, so that they would not be alone. The importance of community safety, including in relation to all religions and places of worship, was raised, also recognising the diversity of faith workers Unite represents and the pressures they are under in terms of lockdown and safe practices. It also reported that people were seriously frightened by a story which came out in one area, that 1,000 graves were being dug for the Moslem community.

3.2 Action that has been taken on the impact of Covid19 on Black & Asian ethnic minority people in our workplaces, our sectors and in our communities

Positive examples of Health and Safety measures negotiated by Unite were reported, including enhanced risk assessment for BAEM workers and removal from the front line where particularly at risk and 4 times as likely to die; as well as strict adherence to social distancing, Risk Assessments in place, and where needed PPE (Personal Protective Equipment) provided, with the full ongoing involvement of Unite. Examples were given of a finance sector site that was vacated and fully deep-cleaned after Covid19 was identified, and 'fogging', more intensive longer-lasting cleaning of buses. Tribute was paid to Unite's Health & Safety guide and particularly for the way it is regularly updated.

It was also reported that Unite has negotiated support for members shielding, including particularly BAEM members who have underlying health conditions, such as diabetes and asthma, and for pregnant women, so that they are able to be away from the workplace on full pay. 'Protected areas' are also being identified for those who have been shielding to return to work in at the appropriate time.

Serious difficulties faced were also raised, including front line workers, particularly in the care sector and bus drivers, many of them BAEM workers, facing members of the public who did not take safety concerns seriously, placing workers more at risk; and particularly at the outset of the pandemic, employers and government unprepared, with a lack of clear messages and completely inadequate procedures and PPE to protect workers at risk.

Pride was expressed at how other workers volunteered to cover work of those who were shielding and to cover for the higher levels of sickness, stress and anxiety; and examples of the union ensuring 24-hour cover was available, so that members had somewhere to turn whenever they needed to. Pride was also expressed in the union's emergency phone line established very early on, and also by the union's workplace and community activity to ensure food parcels were provided.

The importance of action being taken by everyone was stressed, and examples were also given of vital anti-racism support and action from black and white union members, representatives and officers and others in the community acting together.

The messages from CEOs, examples in Finance and Retail were given, stating their solidarity with the black community as part of the response to Black Lives Matter had been refreshing and powerful. What was now needed was the action to put the words into practice.

3.3 Key points for action needed on the disproportionate impact of Covid19 on Black & Asian ethnic minority people

- **Equalities must be on every agenda, everywhere, so we have change**
- **We must audit everything and expose race disparity** – who has lost their lives, who is made redundant, how progression at work operates, who is paid what, housing, education
- **Risk Assessment must be robust, enforced, the union fully involved, and must include BAEM-sensitive risk assessment to specifically protect Black and Asian ethnic minority workers**
- **Black and Asian ethnic minority people have saved so many people's lives during this pandemic – we must pay tribute but do so much more than just clap** – charging for NHS healthcare must end
- **Black history needs to be known, understood, recognised as part of all our lives and history – racism is not new, it is hundreds of years old** – strengthening our links with unions globally and as the Labour and Trade union movement together, we must tell our story, and ensure Black History is taught to our children and a central part of all our education
- **High profile leadership and explicit messages of support for the black community** that is so under pressure are essential, make a vital difference, and there are currently not enough. In particular a stronger labour and trade union movement leadership and voice needs to be heard, including on social media
- **Government action is needed, we are dying disproportionately** – the reports have been important, but the late publication of the recommendations for action was shameful, and implementation is now what is needed. Government should be ensuring specific guidance is reaching BAEM people in the community, to protect us
- **Under-representation in higher grades and lack of progression of black & Asian ethnic minority people** in work have placed us at higher risk as disproportionately lower paid workers, as front line workers, and more likely to be facing pay and job instability on zero hours or insecure contracts, or threat of redundancy
- **The disproportionate impact of Covid19 on Black and Asian ethnic minority people**, including specific impacts on Black and Asian ethnic minority women, has been measured and identified. We need to act now to deal with and prevent this terrible cost

→ **Mental health support is an absolute priority** and listening support groups can play an important part

→ **ACTION now! Everyone can and must play their part**

✚ **Equality impact assessments** alongside Risk assessments of all actions on Covid19 – to protect everyone's safety, jobs and income, and to ensure deeply entrenched existing racism is identified, exposed and acted on, NOT widened and entrenched. Unite has also developed a **Covid19 Equality Checklist** :
<https://unitetheunion.org/media/3106/unite-next-steps-covid19-equalities-checklist2.pdf>

✚ **Unite BAEM Covid19 Health and Safety Guide** offers practical solutions for BAEM workers in regards to additional control measures that can be put in place as part of a risk assessment, ensuring that risk assessments involving BAEM employees address the elevated risks of Covid19 they are facing. The guide confirms that employers have a duty to consult union representatives on all health and safety matters, including how they manage elevated risks to BAEM employees from Covid-19. It proposes setting up a specific task group to manage BAEM sensitive issues related to Covid 19, including the most senior people and union reps
<https://unitetheunion.org/media/3137/203-baem-covid19-hsguide-20-06-12d.pdf>

✚ **Unite Race Forward Campaign “Tackling Race Discrimination in the Workplace”** has been developed and overseen by Unite’s BAEM structures. It sets out clear practical action needed in ALL workplaces to :

- ✓ Close the ethnic minority employment gap
- ✓ Tackle the pay gap for black workers
- ✓ Fight for equality of opportunity in promotion
- ✓ Deal effectively with Racial Harassment, Discrimination and Bullying
- ✓ Promote fairness for black women workers
- ✓ Negotiate for Union Equality Representatives
- ✓ Ensure fair treatment of migrant workers
- ✓ Organise and recruit BAEM workers into the union
- ✓ What to do if the employer will not monitor or conduct an audit

<https://unitetheunion.org/media/1458/race-forward-campaign-pack.pdf>

Additional points on Action needed in the union

- Positive achievements by the union through national and sectoral negotiations need **constant monitoring** to ensure they are fully implemented and acted on at all levels, including reportbacks from regional delegates
- Clear support and action from all parts of the union to ensure BAEM members are protected. **We need everyone with us**
- Unite web-site needs change so that we can access all we need to tackle race discrimination and so the **support for BAEM members is more clearly visible and higher profile**

Closing Remarks

The Chair spoke about the passionate and informed contributions and thanked everyone for the extensive input and the commitment to listening to what is happening and to supporting each other.

She then invited the following contributions :

Chantelle Brown, Unite Specialist Equalities Tutor – stressed the vital role of Unite education as a key weapon in the elimination of discrimination and racism from our workplaces. She spoke about the equality education programme, including on equality impact assessments, and online workshops to support BAEM members as reps, BAEM reps as committee delegates, and the BAEM Leadership course – “We must lead from the front - union education for people live yourselves, senior reps and activists, to take the next step – changing the face of our movement, ensuring leaders who look like us.”

Maureen Scott-Douglas, West Midlands Regional Women’s & Equalities Officer – stated that Unite belongs to everyone and called on everyone to take responsibility and play their part. She spoke about the regional Facebook pages and local media coverage, and encouraged the production of short regional videos with positive messages (with regional digital support available), that can be used as part of the Unity over Division Campaign as well as Unite Equalities. She highlighted the role of black lives matter in helping the understanding of racism globally, nationally and in the workplace; and particularly hoped that this renewed inspiration will mean BAEM members will look to become more active in the union and stressed the excellent opportunities to develop new BAEM shop stewards, safety reps, union learning reps and union equality reps with the next elections due to take place in 2021.

Siobhan McCready, Scotland Regional Women’s & Equalities Officer (acting) – thanked everyone for the opportunity to listen to the discussions, and emphasised the importance of doing all we can to ensure we are as representative as possible, engaging and building understanding of black lives matter and the disparities, particularly as Scotland overall is not as diverse, apart from eg in Glasgow.

The Chair Susan Matthews then called on the Assistant General Secretary for Equalities and National Officer for BAEM Equalities to speak :
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Diana Holland, Assistant General Secretary : Equalities and Transport & Food sectors – opened her remarks by acknowledging the importance of this powerful meeting, and expressed her thanks to everyone for attending. She confirmed she felt it was most important for her to listen, and thanked everyone. She had heard the strength of feeling. She was inspired by the incredible role being played by our union during the pandemic in protecting everyone’s safety, jobs and pay, and the vital importance of ensuring that this actively includes action on the disproportionate impact of Covid19 on Black & Asian ethnic minority people. She had heard too that there are criticisms and was determined not to be defensive, but to listen and act to address concerns raised. She stated the overriding concern that Unite BAEM members do not face discrimination, that steps are taken to prevent racial harassment, discrimination and bullying and to promote race equality; but that when it does happen that BAEM members feel supported by their union. She had heard the powerful call for Unite to play a bigger role. She also stressed her strong commitment to tackling under-representation of BAEM members at work, in the wider community, in political life, and in the union, as key to this; and assured the meeting that she has been taking every opportunity in her role as AGS to raise our

union's concerns over the disproportionate impact of Covid19 on Black and Asian ethnic minority workers eg in meeting the Secretary of State for Transport over safety of bus workers.

Harish Patel, National Officer for Equalities – Black & Asian ethnic minorities, Disabled members, LGBT+ and Rail and Metals sectors – thanked everyone and confirmed he had listened actively to all the comments made. In terms of Unite Equalities, we are making sure that our membership do not suffer hardship, and that we act : including our education programme, using regional Facebook groups and digital support, adding the Workers Uniting USW/Unite global statement to the Unite web-site, working with the General Secretary who has spoken out on behalf of the union on Black Lives Matter, circulating two fact sheets to Unite officers, and most importantly providing feedback to Unite health and safety on BAEM Risk Assessment for Covid19. This has now been circulated, is on the web site and being pushed out to regions and sectors, to ensure the disproportionate impact of Covid19 on BAEM members is acted on and adjustments made in workplace practices. *“The death of George Floyd in America in recent days has given fresh incentives for the BAEM community to join forces with Black Lives Matter to highlight major issues of institutional racism in USA and in the UK. That Black Lives Matter is clear for all to see. Unite will engage with the BAEM membership to bring about lasting change, supporting practical steps on race equality in the regions, all industrial sectors, in the country and internationally. Unite will produce relevant leaflets and through the education programme help support members. All the concerns have been recorded and thank you all for attending.”*

In closing the meeting, **Susan Matthews**, the Chair stated that systematic racism should not be happening in this day and age. History is in the making and slavery and colonialism should be a thing of the past. Even though other people may find it difficult to understand as they have not had the experience, Racism is real and it affects black people's lives. She welcomed and valued the support from our white counterparts. Unite is listening and we need to re-educate people in the country to - admit the past, tackle the present and change the future. She thanked everyone and confirmed her absolute support as the Executive representative for Black & Asian ethnic minority members and Chair of the National BAEM Committee.

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Submitted by

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Migrant domestic workers and Covid-19: Risks facing front-line care workers

Dr Joyce Jiang¹⁵ The Voice of Domestic Workers

The Covid-19 pandemic is affecting the lives of all, but experiences of it differ greatly according to age, gender, ethnicity, employment and income level. It is likely that the pandemic will expose and expand existing inequalities, creating significant new forms of vulnerabilities and hardship. The modern slavery risk of domestic workers in private households, mostly done by migrant women from low-income countries in advanced economies, have dramatically increased during the Covid-19 crisis. Each year the Home Office issues approximately 19,000 Overseas Domestic Worker visas under its 'domestic workers in private households' scheme, which allows foreign employers to bring domestic workers to the UK. Domestic workers include cleaners, chauffeurs, cooks, nannies and those providing personal care for the employer and their family in private households. Migrant Domestic Workers (MDWs) are often from The Philippines, India, Sri Lanka, Indonesia and other Asian and African countries. Being enmeshed in class, gendered and radicalised structures of oppression coupled with legal precarity¹⁶, MDWs experience greater exploitation than do workers in most occupations. They are not only subject to non-compliance of the National Minimum Wage and long working hours, but also to verbal, physical and sexual abuses. A survey with 539 MDWs conducted by The Voice of Domestic Workers in 2018 reveals that 69% of MDWs did not have their own room in employers' houses and only 49.4% had enough food to eat. The abuse is prevailing in this sector as 76.5% of respondents had experienced abuse at work, including verbal (54.4%) physical (18.9%) and sexual (7%) abuse. In the face of the Covid-19 pandemic, the already-high economic, physical as well as psychological risks facing MDWs have dramatically increased. Care economy acts as a 'shock absorber' during the pandemic. The policy and media response often only recognises healthcare workers

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¹⁶ In 2012, the government imposed restrictions on the Overseas Domestic Worker visa. The new visa lasts for a 6 month term maximum and is non-renewable.

while neglecting the positive impact of domestic workers during the pandemic. In the UK, there remains a significant gap in national responses to the abuses, exploitations and risks facing MDWs.

Economic risk

Many live-out MDWs are experiencing a steep decline in work which leads to a devastating loss of income. Approximately 20 live-out MDWs from The Voice of Domestic Workers reported that they have lost jobs and financial income since the outbreak of Covid-19. Most MDWs do not have resources to public funds¹⁷. They were not able to afford food and rent. They also face long-term uncertainty with many reporting that they are unsure if their employer will resume their jobs after the pandemic. Due to the lockdown and school closure, live-in MDWs' workloads have sharply increased while their salaries have been cut by employers who are also experiencing income loss during the Covid-19 crisis. For example, one live-in MDW was paid £450 per week before the outbreak of Covid-19. However, her salary was reduced to £350 per week despite the increasing workload since the lockdown. Another live-in MDW was only paid two weeks' salary within a month. Some live-in MDWs have become jobless and homeless while some have been forcibly confined to their workplaces, not given salary, enough food or even a proper place to sleep. The Voice of Domestic Workers has been allocating hardship fund (cash or food) to about 50 members who were financially struggling and/or confined to their workplaces without enough food since March 2020. Due to the financial loss, many MDWs are not able to send money back to support their children and family.

Physical risk

Regulations related to social distancing and hygiene measures are often not enforced at their workplaces. As the director of The Voice of Domestic Workers commented, it is widely reported by their members that there is a lack of protective equipment at work which poses a real threat to their health. Many employers have not provided MDWs masks and gloves. Some MDWs were forcibly confined to their workplaces by their employers, and thus they were not able to go out to purchase masks and gloves. They may also be required to take care of anyone who may fall ill, including someone with Covid-19. Currently MDWs are excluded from the health and safety regulation in the UK. Since the outbreak of Covid-19, increasing number of MDWs from The Voice of Domestic Workers have reported exploitation and abuse at their workplaces and asked to be referred to the National Referral Mechanism (NRM) -a framework for identifying and supporting the victim of human trafficking and modern slavery. Undocumented MDWs are unable to access healthcare and other public services. Being separated from their family and forcefully confined in their workplaces, MDWs have few resources and 'outlets' to seek help and keep themselves safe.

Psychological risk

Exploitative working conditions, the threat of abuse, and deteriorating living conditions also have a devastating impact on the mental health of MDWs. Many members from The Voice of Domestic Workers

¹⁷ Those MDWs who have entered the National Referral Mechanism (NRM) and received a positive reasonable grounds decision after their Overseas Domestic Worker visa has expired do not have permission to work. They are able to receive the minimal government aid-£35 a week under the Victim Care Contract.

have reported increasing level of stress and frustration. Internet is not always available in the accommodation that MDW rent. MDWs are often not allowed to use wifi in their employers' houses. Lack of access to internet has reinforced social isolation. Some MDWs are not able to communicate with their families and friends virtually on a regular basis.

Case one: My employer asked me to leave the house. I became jobless and homeless

At first in mid-March, my American employer asked me to leave the house because of Covid-19. They told me that I can leave my things in the house and they will give my job back after the lockdown is lifted up. But in April, they texted me that they can't afford my salary and won't give my job back. I became jobless and also lost my accommodation. I'm a live-in domestic worker. I tried to look for new jobs, but it's very difficult. I had one job interview, but they asked me to work from 7am to 9pm, very similar to my job in Qatar. It's too harsh. The other employer asked me to present my document. My passport was still kept by my first employer from Qatar. I don't have a passport. I have received a positive reasonable grounds decision from the NRM, but the employer didn't understand what the NRM means. It's too difficult to explain what the NRM is. So I'm jobless without any income now and staying with one friend. I receive £35 per week from the government because I have received a positive reasonable grounds decision from the NRM. That's it, no other income. I don't have extra money to send back to my family. It's very difficult.

(Pilipino, female, 26 years old, 9 months in the UK, has entered the NRM and received a positive reasonable grounds decision, live-in domestic worker in London)

Case two: I thought I caught Covid-19 from my employer, but I can't go to hospital because I'm undocumented

I'm a live-out domestic worker. I worked for three employers before the lockdown. One of my employers was a doctor. He was very sick and hadn't been to work for long time. I was there to clean the house. They didn't tell me what was going on with him. 16th March was last day of my work. When I was back, I started feeling unwell. I lost my appetite, had low fever and body ache and coughed a lot. These are symptoms of Covid-19. I was so scared. Because I'm undocumented, I have never registered GP. I can't go to hospital. For a month, I was unwell. I took care of myself. I also lost all jobs since the lockdown. I don't have any income. My family asked me, 'when are you going to send money back?'. I said, 'I can't. I don't have jobs now.' I feel very stressed. I don't know when I will have my jobs back. I started looking for new jobs. Last week I had an interview. They said they could offer me a live-in job, but the conditions are so hard. I have to do the Covid-19 test first. If I'm negative, I have to stay in one room of their house for 14 days. After 14 days, I have to do the Covid19 test again. If I'm negative again, I could start working for them. However, I will not be allowed to go out at all before September. It is too hard. I feel like I'm in jail. I didn't accept the job offer. The stress has made my asthma even worse. I can't get any help from doctors because I'm hidden. I'm staying with my friend. There is no internet in the house. I feel very lonely. I can't even talk with my family and friends online. **(Pilipino, female, 6 years in the UK, undocumented, live-out domestic worker in London)**

Case three : No pay for two weeks, no days off, locked inside

I felt like I'm in a cage. I'm in prison. Since two weeks before the government announced the lockdown, I have been forbidden to go out by my employer. I'm not allowed to go out to buy food or take exercise. It reminds me of my days in Riyadh. My life evolves in this flat. I'm locked inside. My employer is the elderly people from Iraq. I only received two weeks' salary last month. I asked my employer why they only gave me two weeks' salary. They just ignored me. Before the lockdown, I had one day (Sunday) off a week. Now I

don't have days off. I work from 8am to midnight everyday (She was paid £450 a week. The hourly rate was far below the National Minimum Wage). They allow me to do online classes with The Voice of Domestic Workers, but no days off. I don't have enough money to send back home to support my children. I have three children. They are 17, 13 and 5 years old. I borrowed money from ** (a member of The Voice of Domestic Worker) and she helped me to arrange remittance. I feel very sad. **(Pilipino, female, 38 years old, 2 years in the UK, has entered the NRM and is waiting for a conclusive grounds decision, live-in domestic worker in Kensington, London)**

Case four: I lost all my live-out jobs

Since mid-March, I have lost all my jobs. I'm a live-out domestic worker. Before the lockdown, I had three part-time jobs, two employers in Holland Park and one in Ealing. They all cancelled my service. I don't have income at all. It has become difficult to pay my rent and food. I don't have any access to public funds. Overseas Workers Welfare Administration of Philippine Overseas Labour Office has given me \$200. The Voice of Domestic Workers is going to provide me £250. They are good, but I don't have any other income now. I'm really worrying about my children and family back home. I

have 4 children. I'm the only source of income for my family. If I don't work, who will feed my children and family? Some friends gave me cash. It's difficult. We don't know when this is going to end. I don't know whether my employers will give my jobs back. They say they will, but I don't know when. Social distancing is not possible in our workplaces. So I don't know when I can have my jobs again. I have started looking for new jobs and asking people I know, but I haven't got any response. I feel stressed very day. **(Pilipino, female, 46 years old, 7 years in the UK, undocumented and is waiting to be referred to the NRM, live-out domestic worker in London)**

Case five: No one will take care of me

I felt very weak in mid-March. I couldn't breathe sometimes. It lasted for 2-3 weeks. I was very scared. I thought I might have caught Covid-19, but I'm scared of calling NHS. I'm here on my own. If I'm tested positive, no one will take care of me. My family is so far away. I was also worrying about them. I don't know what will happen to them. My employer provided me an accommodation. It is separate from their house. I was there alone. They provided food to me. Except two person from The Voice of Domestic Workers, nobody else has called me. I felt frustrated. I took more water and followed the guidelines from the government. I cried a lot and prayed to God. I needed to send money back to my children in The Philippines. My daughter was sick and needed medicine then. A lot of shops were closed. I finally found a shop and they helped me to send the money back. Now I started working again (for the same employer). I work from 8am to 8pm, 5.5 days a week and get £350 a week (The hourly rate -£5.30 is far below the National Minimum Wage). **(Pilipino, female, 50 years old, 1 year in the UK, has entered the NRM and received a positive reasonable grounds decision, live-in domestic worker in Kennington, London)**