

# **Decent Work for Posted & Migrant Workers**

Bernard McAulay

Unite

National Officer Construction

Mail on Sunday 1<sup>st</sup> Feb 2009

- Firebrand leading wildcat strikes met Italian firm at centre of row





# National Agreement



# National Agreement Engineering Construction Industry

- Core Terms and Conditions  
(Twenty Clauses)
- Thirteen Appendix
- Eighteen NJC Supplements

# Key Sections

## NAECI 1.2 – The signatories to the NAECI

- a) For the Trade Unions:
  - UNITE the Union
  - GMB
  
- b) For the Employers:
  - ECIA (Engineering Construction Industry Association)
  - TICA (Thermal Insulation Contractors Insulation)
  - SELECT (Electrical Contractors Association Scotland)

- NAECI 9.5 Travel and Accommodation arrangements for posted employees
- Periodic weekend leave 12 occasions per year  
or
- variation by agreement with the Trade Unions
- Transport Expenses
- Travelling time payments

# NAECI 20.4 (iv) Provisions Applicable to Specific Categories

- a) Major New Construction Projects

  - The size of project

  - Duration

  - Clients commitment / management –  
main contractor

- b) Independent Auditor

  - Role & Responsibility

NAECI Audit – Project Period (weeks 73 - 76) – 10 August to 6 September 2009

**3. Cumulative Statistics**

|                 | Description                 | Peak week in period<br>– w/e 16 August 09 | Clocked –<br>Cumulative       |                                 |        |
|-----------------|-----------------------------|---|-------------------------------|---------------------------------|--------|
| 1               | WORKFORCE                   | 1. Grade 6                                | 904.25                        |                                 |        |
|                 |                             | 2. Grade 5                                | 14,068.75                     |                                 |        |
|                 |                             | 3. Grade 4                                | 3,828.00                      |                                 |        |
|                 |                             | 4. Grade 3                                | 6,782.00                      |                                 |        |
|                 |                             | 5. Grade 2                                | 1,288.75                      |                                 |        |
|                 |                             | 6. Grade 1                                | 0                             |                                 |        |
|                 |                             | 7. Apprentices NASEC                      | 0                             |                                 |        |
|                 |                             | NON-NASEC                                 | 372.50                        |                                 |        |
|                 |                             | TICA                                      | 0                             |                                 |        |
|                 |                             | Total – All Grades                        | 27,244.25                     |                                 |        |
|                 |                             |   | Cumulative to date            |                                 |        |
| 2               | HOURS                       | 1. Available                              | 31,175.75                     |                                 |        |
|                 |                             | 2. Clocked                                | 27,244.25                     |                                 |        |
|                 |                             | 3. Productive                             | 25,692.25                     |                                 |        |
| 3               | OVERTIME                    | 1. Overtime Hours Worked                  | 5,563.75                      |                                 |        |
|                 |                             | 2. % Of Clocked Hours                     | 20.42%                        |                                 |        |
| 4               | ABSENCE                     | (As a % of available hours)               | Period Percentages            |                                 |        |
|                 |                             |   | Cumulative Percentages        |                                 |        |
| 1. Unauthorised | 1. Absent / Late            | 1.66%                                     | 0.99%                         |                                 |        |
|                 |                             | 2. Dispute                                | 0                             |                                 |        |
|                 |                             | 3. Unauthorised Meetings                  | 0.35%                         |                                 |        |
|                 |                             | Total Unauthorised                        | 2.01%                         |                                 |        |
|                 |                             | 2. Authorised                             | 5. Sickness                   | 2.45%                           | 2.90%  |
|                 |                             |   |                               | 6. Accident                     | 0      |
|                 |                             |   |                               | 7. Bereavement                  | 0.08%  |
|                 |                             |   |                               | 8. Travel Time                  | 0.57%  |
|                 |                             |   |                               | 9. Inclement Weather            | 0.53%  |
|                 |                             |   |                               | 10. Waiting Time                | 1.79%  |
|                 |                             |   |                               | 11. Meetings                    | 0.75%  |
|                 |                             |   |                               | 12. Authorised Leave – not paid | 2.44%  |
|                 |                             |   |                               | 13. Total Authorised            | 8.61%  |
|                 |                             | TOTAL ABSENCE                             | Unauthorised + Authorised     | 10.62%                          | 20.96% |
| 5               | HOLIDAY (as %)              | Annual                                    | 6.56%                         |                                 |        |
|                 |                             | Statutory                                 | 4.29%                         |                                 |        |
|                 |                             | Total Holidays                            | 10.85%                        |                                 |        |
| 6               | Incentive Bonus Arrangement | Fixed IBA Rate                            | £0.80                         |                                 |        |
|                 |                             | New IBA implemented                       | Numbers at peak in the period |                                 |        |
| 7               | RADIUS / ACCOM              | Accommodation                             | 274                           |                                 |        |
|                 |                             | No Allowances                             | 31                            |                                 |        |
|                 |                             | Accommodation + Radius                    | 148                           |                                 |        |
|                 |                             | Scale 1 Radius                            | 200                           |                                 |        |
|                 |                             | Scale 2 Radius                            | 21                            |                                 |        |
| 8               | ACCIDENTS                   | Reportable                                | 0                             |                                 |        |
|                 |                             | Others                                    | 0                             |                                 |        |
| 9               | TRAINEES & APPRENTICES      | NASEC Apprentices                         | 0                             |                                 |        |
|                 |                             | Non-NASEC Apprentices                     | 13                            |                                 |        |
|                 |                             | TICA Apprentices                          | 0                             |                                 |        |

# The Future

## 1) European Parliament / Posted Workers

Directive Articles 3 & 4

- Terms & Conditions of Employment
- Cooperation on information

## 2) European Trade Union Congress

## 3) Clients social responsibility

## 4) NAECI (One European Industrial Agreement)