

On 29 September 2021, and in accordance with Standing Order 31.1, Council referred a motion, proposed by Councillor Nimmo, to the Executive.

(a) Fair Work Practices

On 29 September 2021, and in accordance with Standing Order 31.1, Council referred the following motion, proposed by Councillor Nimmo, to the Executive:-

This council notes:-

- 1 in 10 workers have experienced 'fire and rehire' - told to reapply for their jobs on worse pay, terms and conditions or face the sack, with BME workers facing this at twice the rate of white workers, since March 2020 (TUC research, January 2021). A quarter of all workers have experienced a worsening of their terms and conditions – including a cut in their pay - since the pandemic began.
- That while the prime minister has called the practice “unacceptable” he has continually refused to take action to outlaw the practice, raising concerns that he will not intervene in this race to the bottom as an escalating number of employers across all sectors using our weak employment protections employers as they force their staff to accept worse terms and conditions, leaving many having to work longer hours and for lower pay, with what can be devastating consequences for workers and their families.
- Even before the pandemic, 1 in 9 workers – 3.8 million people – were already 'insecure', meaning they did not have access to basic rights at work and could be dismissed at will; including those on zero hour contracts and agency workers.

This council therefore resolves to:-

- Ensure local residents are protected against such unscrupulous employers and agrees to ask the Leader of the Council to write to the Prime Minister demanding he outlaw fire and rehire and act now to keep his promise to local residents to protect their employment terms and conditions.
- Not use fire and rehire (dismissal and re-engagement) itself as an employer and to ensure the council has a procurement practice that promotes fair work practices, and good trade union, equality and environmental practices.
- Promote the increasing number of progressive local employers prioritising their employees' standard of living and their wellbeing, work with our anchor institutions and key partners to bring forward plans to ensure all have best practice employment and to work with recognised trade unions on this.
- Support the TUC campaign for a 'New Deal for Working People'.

- Asks for a report back on work undertaken in relation to procurement practices that promote fair work practices (including not hiring and refiring) and encouraging progressive employers.

As an amendment, in substitution for the motion, Councillor Bouse, seconded by Councillor Meiklejohn, moved that the Executive:-

- (1) welcomes the Fair Work First extension of the Scottish Procurement Notes to include a) offer flexible and family friendly working practices for all workers from day one of employment and b) oppose the use of fire and rehire practices, and
- (2) proposes that should the use of terminate and re-engage be relevant and proportionate to do so, that a report would be brought to Council prior to any action being taken.

The Executive adjourned at 11am and reconvened at 11.10am with all members present as per the sederunt.

In terms of Standing order 22.1, the vote was taken by roll call, there being 12 members present with voting as undernoted:-

For the motion (4) – Councillors Bissett, Black, Coombes and Nimmo.

For the amendment (5) – Councillors Alexander, Bouse, Garner, Hughes and Meiklejohn.

Abstentions (3) – Councillors Harris, Kerr and Munro.

Decision

The Executive agreed the amendment.