

Brown signals intention to give rights for agency workers

Yesterday the prime minister signalled his intention to introduce law to help agency workers as he outlined his legislative programme for next year.

Gordon Brown told the Commons the Government was committed to flexibility, saying: "Most people agree it is not fair that even after months in the job, agency workers can currently be paid less than the staff they work alongside - and as a result permanent staff can feel they are being unfairly undercut," he said.

Explaining that Business Secretary John Hutton will bring forward legislation "subject to an agreement between employers and employees and in Europe", he also added that this would "for the first time ensure new rules for fair treatment of agency workers here in Britain."

Welcomed By Unions, But Not Business...

Unions and MP's have been calling for ministers to act on complaints of poor pay and conditions among agency staff, and have previously accused the Government of blocking European legislation - the [Agency Workers Directive](#).

TUC general secretary Brendan Barber said: "I welcome the Prime Minister's clear recognition that agency workers get a raw deal, and that there is a need to make life fairer for agency workers. Unions will now step up their campaign to secure proper protection and a fair deal for agency workers."

Whilst Unions are cautiously welcoming the move, business leaders say the plans will put employers in an impossible position and reduce job opportunities.

Chris Hannant, head of policy at the [British Chambers of Commerce](#), opposed the move saying "The UK labour market's flexibility has been one of the major reasons the economy has performed strongly and created so many jobs over the last decade."

"Proposals that undermine the advantages of this flexibility will not only damage employers, but will reduce job opportunities for those people that the proposals seek to protect," Hannant added.

Chairman of the [Federation of Small Businesses](#), Alan Tyrrell said the measures would put firms "in an impossible position". "You can't have an extension of flexible working and at the same time clamp down on the means by which many small businesses cope with it, which is often through temporary workers."

Miles Templeman, director general of the [Institute of Directors](#) is also opposed to any moves that will damage the flexible labour force in the UK - and said that any qualification period for giving agency workers new rights should be counted in months, rather than weeks.

The Qualifying Period

At this stage there is more detail to flesh out, subject to an agreement between employers and employees, and in Europe.

The length of qualification period for employment rights is a very contentious point - Unions want it as small as possible, perhaps counted in weeks, and business wants something longer term to maintain the advantage of the flexible economy. The draft directive from the European Commission refers to a six-week period. We'll have to wait and see what gets proposed.

So, What Happens Next?

There are two things currently going on: We have the pressure on the Government to introduce the rights for agency workers, based on the European Agency Workers Directive. We also have the Private Members Bill raised by Andrew Miller, MP. At the beginning of April Miller said that his bill would likely be changed to [exclude High-Tech Workers](#). Still, the Government and the opposition oppose Miller's bill and it is not expected to make it into law.

For us contractors, we won't know what any new legislation is likely to be until we see detail in next year's Parliament, when any new bill on agency workers would get introduced. But worryingly for all of us is the potential inability by a successive Government to reverse any bill that goes through.

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Chirs Hannant - British Chambers of Commerce

[Andrew Miller](#), Labour MP for Ellesmere Port & Neston, who introduced a Private Member's Bill told the Tribune, "What's being set... requires something that's regarded as having the support of what's happening on a pan-European basis and it has a life that can't be terminated on the whim of an incoming government. It's undoubtedly an issue where there's very clear blue water between us and the Conservatives."

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Andrew Miller - Labour MP

One thing for sure, at a time when there is talk of the economy moving into a recession, it's not a good time to be damaging the flexible labour market. To make sure your voice is heard on this issue, write to your MP and let them know that you want this bill opposed.

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