

Foreward

Welcome to the first issue of the Equality e-bulletin, which we hope branches and CWU representatives alike, will find interesting and educational.



The idea will be to have an e-bulletin coming out every other week, or at least once a month. We have acted on some feedback that there are currently too many singleton emails emanating from the department and that it would be better if these could be collated into some form of e-bulletin, hence the

creation of this initiative. If you have information locally that you feel would be useful to share please feel free to raise it with my department by emailing it to equality@cwu.org. As your new Head of Equality my team and I are keen to ensure there is solid support for you in the branches in terms of equality issues and we would always encourage a strong dialogue, so if you have any queries we are always on the end of a telephone.

Yours sincerely,



Linda Roy
Assistant Secretary
Equal Opportunities

Contents

Disability Rights	02
<i>Extending this right to carers</i>	
News from the Equality Commission (EHRC)	03
Why Homophobia is a huge issue?	05
Pride Updates	06
Abortion Rights	
Campaign updates	07
Black History	09
<i>The CWU's very own exhibition</i>	
RAMADAN and Eid ul-Fitr	10
Black Health	11
<i>CWU's commitment to the African Caribbean Leukaemia Trust</i>	
CWU Equality Conferences	12
RAC commits to working with CWUHA	13
Branch Corner	14
Meet the Equality Team	14

Disability Rights.

Extending protection to carers of disabled people.

The case of Coleman vs. Attridge has caught the eye of many people who follow equality legislative developments and many are quite understandably very excited about the prospect of DDA protection now being extended to protect 3rd parties – basically people who have responsibility for caring for disabled persons.



In a recent court case heard at the European Courts of Justice, a judge said that a UK national who worked as a legal secretary was unlawfully forced out of her job for demanding flexible hours to look after her disabled son.



The judge argued that she suffered discrimination through association and suggested that EU laws that guarantee fair treatment for disabled persons should be extended to those connected with them (inferring caring responsibilities).

The CWU welcome this development – the DDA laws are amongst the most progressive in the United Kingdom and amendments continue to come in with positive ramifications for workers. Employers will now need to be mindful of these developments when an employee makes a genuine application for flexible working hours based on caring responsibilities vis-à-vis any disabled persons.

As most of you will know flexible working laws are already in place though the scope for this currently only applies to looking after children, or a disabled child up to the age of 18.

Watch this space as there will inevitably be legal updates in the coming months as to how this is going to be applied in the UK.

News from the Equality Commission. Commission calls for practical approach to equal pay crisis following landmark judgement.

Source from EHRC website, 29 July 2008

In a landmark judgment today, the Court of Appeal has accepted the Equality and Human Rights Commission's call for a practical approach to help resolve a surge in equal pay cases threatening to bring the tribunal system to a grinding halt.

The judgment, which sets a far-reaching precedent, comes as figures reveal equal pay claims for local authority and national health service staff have continued to rise at an alarming rate.

Women in the public sector working in jobs such as dinner ladies and cleaners have long been underpaid for doing work of equal value with their male counterparts. The Equality and Human Rights Commission intervened in the case of *Bainbridge v. Redcar and Cleveland Borough Council* to clarify the best way to bring women's pay in line with men's as speedily as possible, while also taking into account the financial impact faced by the public sector.

The Commission argued that so called 'transitional arrangements' – when an employer protects the pay of an existing employee, most often men, while taking steps to equalise pay – could be lawful.

In some circumstances, the Commission believes such arrangements may be a practical and necessary intermediate step, provided the employer consults the women involved, tackles the matter as quickly as possible and in a way that disadvantages the women to the least extent possible.

The Court of Appeal accepted the substance of the Commission's argument, setting an important precedent that will help pave the way for a faster resolution to the deepening quagmire of equal pay in local government. Today's ruling means that whenever possible cases can be kept out of a slow and costly legal system in favour of negotiated settlements that brings women and local councils some measure of certainty sooner, rather than later.

continued...

● **Source from EHRC website, 29 July 2008 – continued.**

● **John Wadham, Legal Group Director at the Equality and Human Rights Commission, said:**

● *'The quagmire of equal pay in local government needs to be ended now, and the thousands of women involved deserve money in their pockets now - not in another ten years time.' 'There is no simple solution. But it may not always be possible to deliver change overnight. Practical and fair transitional arrangements are necessary but it is right that we set a strict test for when these arrangements can be justified. Without them, employers may simply turn a blind eye to the problem until forced by a slow and overburdened legal system to deliver. Litigation is not enough. We need other tools to deliver change, including negotiated settlements.'*

● *Largely driven by claims brought by women working in local government, the number of equal pay claims lodged in tribunal have spiralled in the last year. Figures from the tribunals service showed a 155 percent increase over the past year, with claims now topping 44,000. Commission analysts estimate that the total number could rise to over 150,000 in coming years, placing a considerable stress on the tribunal system and resulting in further delays for thousands of women, many of whom have already been waiting for over a decade. The Bainbridge case involved up to 800 of those women, who largely worked as care and catering workers. They had been fighting for equal pay with their male colleagues in a case that has now gone on for more than four years.*

● *The Commission could not support the Bainbridge claimants directly, as the thrust of their legal argument was that such transitional arrangements should never be lawful.*

● *Without the option of practical and reasonable solutions such as transitional arrangements, the Commission was concerned that employers would avoid taking active steps to uncover pay differences and setting things right for fear they wouldn't have the resources to address the differences immediately.*

● *The court drew tight parameters around the circumstances where such 'transitional arrangements' could be justified. On the basis of the facts in the case in Bainbridge, the Court ruled that the justifications put forward by the councils in question did not meet the test, and the claimants in the case were successful.*

● *However, the claimants in Bainbridge were not successful on the basis of their original argument that such arrangements were in themselves unlawful, but that the arrangements in these circumstances could not be sufficiently justified.*

The above is another great development in terms of equality law – whilst not all of the legal points were won, the Commission won the majority of legal points and these will be reported on in much greater detail in the next edition of the Equal Opportunities Review,

which our department would recommend you all to subscribe to. It is not cheap but it is a brilliant resource updating on a monthly basis all of the legal cases worth mentioning.

Why Homophobia is still a massive issue.

As we write this article Michael Causer, an 18 year old teenager living in the Merseyside area of Huyton has become the latest statistic relating to the growing number of people who are being viciously attacked and sometimes killed just for being gay.

As a union we absolutely abhor the actions of those responsible for this horrendous act of violence and the police are quite rightly looking to bring the guilty culprits to justice as quickly as possible.

Clearly it is not just gay men who are subjected to violence. The uncompromising hate-filled position adopted by many people in society applies equally to all members of the LGBT community and we need to be clear about that point. This young man was only 18 years old and he was openly gay – it has been reported that his killers were known to him.

It is a very sad world when we still see cases such as Stephen Lawrence, Anthony Walker, Jody Dobrowski and Lee Harvey, all victims of horrible hate crimes. Why can't people just be accepted as human beings? If ever we need reminding as to why it is so dangerous to even begin to contemplate any form of credibility for so-called political parties such as the BNP we only need to mention these guys (not forgetting David Copeland and others since who are clearly linked with the BNP and who have gone out of their way to start race wars).



Pride Updates.

As we enter September the UK PRIDE celebrations are well under way and only last week I was at the Leeds Pride Festival giving out the newly launched CWU LGBT Rights Leaflet to PRIDE goers. The leaflet was very well received by festival attendees.

Whilst in the United Kingdom we have our own issues with LGBT people not sometimes being respected as they should be, generally speaking the air of tolerance is becoming much more positive. The UK is miles ahead of certain other EU countries where PRIDE goers are subjected to disgusting attacks by far right groups including religious groups.

Over the last few years the local authorities in certain EU countries have not been doing enough to discourage attacks on PRIDE goers, and this year has not really seen a change with some of the most violent scenes ever witnessed in the recent Hungarian Pride LGBT event. There are numerous reports of many festival goers being openly attacked quite literally on every street corner that the parade reached. Similar incidents in Moscow, Croatia and Poland were reported last year. Coming back to the UK almost all of the big cities now have a vibrant PRIDE festival which allows the LGBT community to celebrate their lifestyle – sexual orientation and gender identity issues are all a part of the social fabric and the diverse

environment that we live in is enriched for the better, as a result of this. PRIDE events have also taken place in the following UK cities on the following dates and independent reports will be available online.

- UK Black PRIDE, Swindon PRIDE, Dumfries Pride 16th Aug 2008
- Doncaster Pride, Soho PRIDE, York PRIDE 17th Aug 2008
- Manchester 15-25 August 2008
- Cornwall PRIDE, Galway PRIDE, Reading PRIDE 30th Aug 2008



Abortion Rights Campaign update.

The CWU has long held a special relationship with the Abortion Rights Campaign and we have some very active members on the CWU Women's Advisory Committee.

The following has been taken from the ARC website and talks about a resolution that has been tabled for the forthcoming Trade Union Congress Conference later on this year.

A resolution is tabled for debate and voting at this year's Trades Union Congress, in September, to support Abortion Rights and the campaign to defend and extend women's rights to choose. The motion was submitted by the TUC Women's Conference, following adoption of policy at this year's Women's Conference. The text of the motion is as follows:

Abortion rights

Congress believes that a woman's right to choose with regards to abortion is a fundamental right. Congress believes abortion should be legally available at the request of the woman and the requirement that two doctors agree to her decision should be ended.

Congress notes that the 1967 Abortion Act has saved the lives and health of thousands of women. Congress notes that research shows that 27 per cent of PCTs have delays beyond three weeks for abortion services due to under-funding in the NHS. Congress also notes that the Human Fertilisation and Embryology Bill currently in Parliament is subject to anti-abortion amendments to reduce the abortion time limit from 24 weeks and to impose a 'cooling off' period and compulsory counselling. Congress believes such measures would have appalling consequences for women seeking abortion and assume women are not capable of making their own decision.

Congress re-affirms its support for a woman's right to choose, and believes that the debate on abortion is dominated by sensationalist reporting in the media. Congress recognises that control over whether to have children, and when and how many, is crucial to every other aspect of a woman's life, and that three quarters of people in Britain support a woman's right to make her own decision.

Congress believes the law should be modernised to allow women, not doctors, to make the abortion decision, like every other medical procedure. Congress, therefore, opposes any attempt to restrict existing legal rights, and calls on the TUC Women's Committee to:

- i) **campaign amongst affiliates, and with the Irish, Scottish and Welsh Women's Committees, to defend the current legal upper limit of 24 weeks and oppose any mandatory 'cooling-off' period and compulsory counselling;**
- ii) **work closely with Abortion Rights UK to defend the 24-week time limit and ensure pro-choice amendments are put forward to liberalise the current legislation;**
- iii) **campaign for the right of workers in sexual health and abortion services to be free to work without fear of abuse or attack;**
- iv) **call for the extension of the 1967 Act to Northern Ireland;**

v) call for any review of current provision to recognise the need for better access to family planning services, and for improved sex education in schools;

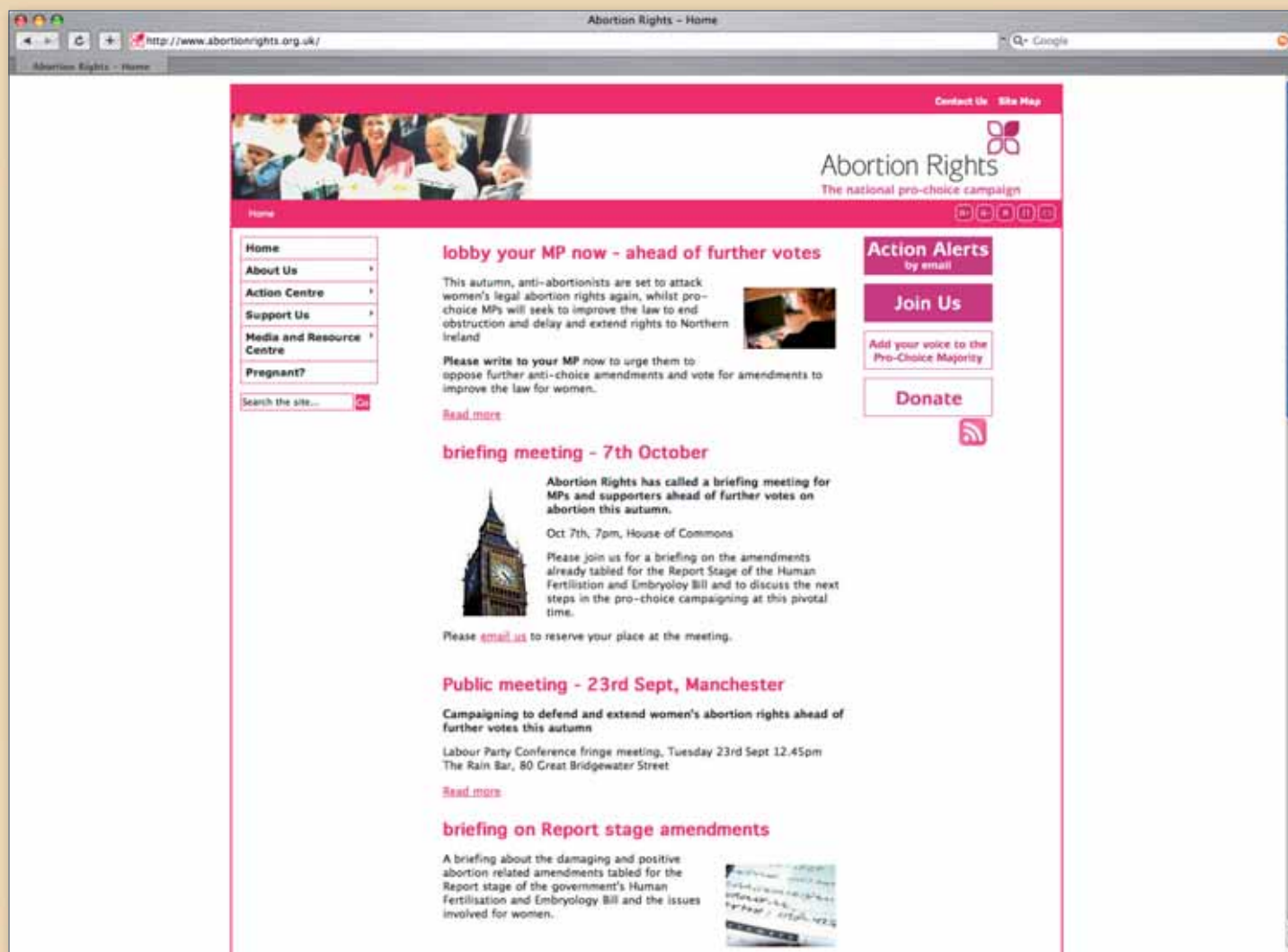
and

vi) publish guidance and support for trade unions on workplace issues relating to access to abortion and time off for treatment.

The issue of abortion will always be an emotive issue for some. The majority of the pro-life brigade, which vehemently oppose the work of this excellent charity, refuse to acknowledge that the bottom line is that the woman has to have the choice of whether to go through with the pregnancy or to opt to have an abortion.

The simple principle at stake is that of choice. Even the current laws are not perfect and the recent debate at the House of Commons on the Human Embryology and Fertilisation Bill was a real breakthrough for the pro-choice movement. It is still somewhat very uncomfortable though that most of the people voting on this Bill were men!

For more information on how you can support the Abortion Rights Campaign please go to their website at www.abortionrights.org.uk

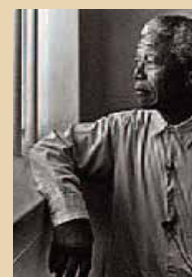


Black History. The CWU has its own exhibition!

Did you know that the CWU has its own Black History Exhibition? It was started around two years ago after the CWU's Race Advisory Committee endorsed a decision to make Black History one of its priorities

Many of you will know that Black History Month (BHM) takes place in October every year. The RAC supports the view of the previous Mayor of London Ken Livingston, in that BHM should not be left on the shelf and taken out for what normally is tokenistic efforts once a year. BHM should be a topical theme throughout the year and the creation of the exhibition has certainly helped the CWU's RAC to achieve this ambitious statement.

The exhibition is available for use by not only CWU branches, as other organisations such as the Labour Party, the TUC and other prominent trade unions use these at their annual conferences. Use of the exhibition is completely free though obviously when you are in possession of the exhibition you will be responsible for its safety! The exhibition highlights the lives of absolute legends coming from a black upbringing. Characters in the exhibition include Nelson Mandela, Mahatma Gandhi, Rosa Parks, Toussaint L'Ouverture, Oluadah Equiano, Anthony Walker, Madame Bikaji and many other not so well known figures.



RAMADAN and Eid ul-Fitr.

For most Muslims around the world September 1st will have seen the commencement of Ramadan, otherwise known as the month of fasting.

This is a greatly symbolic period for Muslims and we thought it would be useful for non-Muslims if we provided this 'rough guide' so you can be more tolerant and understanding to Muslims participating in Ramadan.

The name "Ramadan" is the name of the ninth month; the word itself derived from an Arabic word for intense heat, scorched ground, and shortness of rations. It is considered the most venerated and blessed month of the Islamic year. Prayers, fasting, charity, and self-accountability are especially stressed at this time; religious observances associated with Ramadan are kept throughout the month. From sunrise to sunset, those fasting will not be permitted to eat or drink anything during this period – for the start of Ramadan this will mean periods of fasting as long as 16 hours every day. It is important to be considerate to your Muslim colleagues during these periods.

Once the month of Ramadan is observed the three day festival Eid ul-Fitr will commence. Eid ul-Fitr is a joyous occasion with important religious significance, celebrating the achievement of enhanced piety. It is a day of forgiveness, moral victory, and peace of congregation, fellowship, brotherhood and unity.

If you wish to show your understanding in a positive way, once Eid ul-Fitr commences, which will be on 30th September (for three days) greetings such as Eid Mubarak or simply happy Eid would be well received.

Any queries regarding Ramadan or Eid ul-Fitr should in the first instance come to the Equal Opportunities Department



Black Health.

The CWU's commitment to the African Caribbean Leukaemia Trust.

For the third year running the CWU, and specifically the Race Advisory Committee, has been developing a very special relationship with the ACLT.

The work only really started to kick into gear once the RAC learned of the news that one of its stalwarts, Cyril Onyejekwe, of London Postal Engineering, was diagnosed with a rare form of leukaemia. Three years has gone and Cyril is still looking for a match to come through the international bone marrow register. In the three or so years the CWU has, in partnership with various organisations, run a number of blood donor registration clinics. Probably the most successful clinic was run earlier this year at Mount Pleasant.

Leukaemia does not discriminate against who it attacks – however the simple facts are that if you are white Caucasian then your chances of finding a match will be around 1 in 5. If you are from an ethnic minority background that ratio increases to up to 1 in 200,000 or even higher.

ACLT have performed nothing short of a miracle in getting the number of donors up from around 500 nationally when it was first set up to the figure of donors now, which stands near the 20,000 mark. The CWU is committed to continuing to help the ACLT with its mission in life, and that is to continue to raise awareness of the acute shortage of bone marrow donors in the BME communities and also to arrange bone marrow registration clinics in our workplaces to allow our members the opportunity to give a very small sample of blood, with the chance that you might one day save someone's life.

Giving blood really is almost painless. Mohammed Kahar signed up as a donor at our Black Workers conference in Bristol. Some Muslims believe that it is against their religion to become a donor but this could not be further from the truth, as Mo demonstrates below. Losing one life to Leukaemia is too much and



the beauty of this initiative and work of the ACLT and RAC is that the message is strongly communicated that we have the opportunity to try to do something about this.

For more information on the ACLT's activities please go to their website at www.aclt.org

CWU Equality Conferences.

The department can confirm that the CWU Equality Conferences will be taking place as follows (where the details have been confirmed):

CWU Disability Conference:

Saturday 25th October 2008 at Jurys Inn Hotel in Birmingham. LTB 510/08 has been sent to the branches.

CWU LGBT Conference 2008:

Saturday 15th November 2008 at the Dragon Hotel in Swansea. LTB 562/08 has been sent to the branches.

CWU LGBT Conference 2008:

Saturday 7th February 2009 at the Holiday Inn Hotel in Belfast. An LTB will be going out very shortly highlighting the details of the conference.

CWU Women's Conference 2009:

Saturday 28th February 2009 has been provisionally agreed by the WAC and the department is currently looking at options as to where to hold it – it will be held in the North West region. An LTB will go out nearer the time.

The department is extremely keen to ensure that all CWU branches have a presence at the equality conferences. Our union is at the forefront of driving equality and these conferences should not be taken for granted. The General Secretary is fully supportive of our efforts to maximise participation.

If there is a lay member who wishes to attend one of the above conferences (especially if it is going to be their first time attending) we would really urge all branch secretaries to do their utmost to get the person to attend.

It is clear there is a shortage of new reps coming through into the ranks of branch positions – without stating the obvious, our rep structure should be reflective of the members we represent. The department understands that it is very easy to say this but we are making efforts to look at things in a more holistic way, so that we can identify those branches that have a healthy demographic area and workforce and the expectation will be that the rule book is applied as much as possible in these circumstances.

The Women's Advisory Committee (WAC) have been instrumental to this degree as it acknowledges it's pointless just having a go at branches who do not have any women reps on their committee. If there is a distinct shortage of members in the branch then the issue of proportional representation will not apply so much.

As indicated already we do want to work with the regions and the branches on this issue in a progressive way and there is a survey in circulation as we write, which seeks to get a better insight into branch structures and numbers of under-represented groups within branches.

RAC and CWUHA team up. for gift of water in AFRICA project.

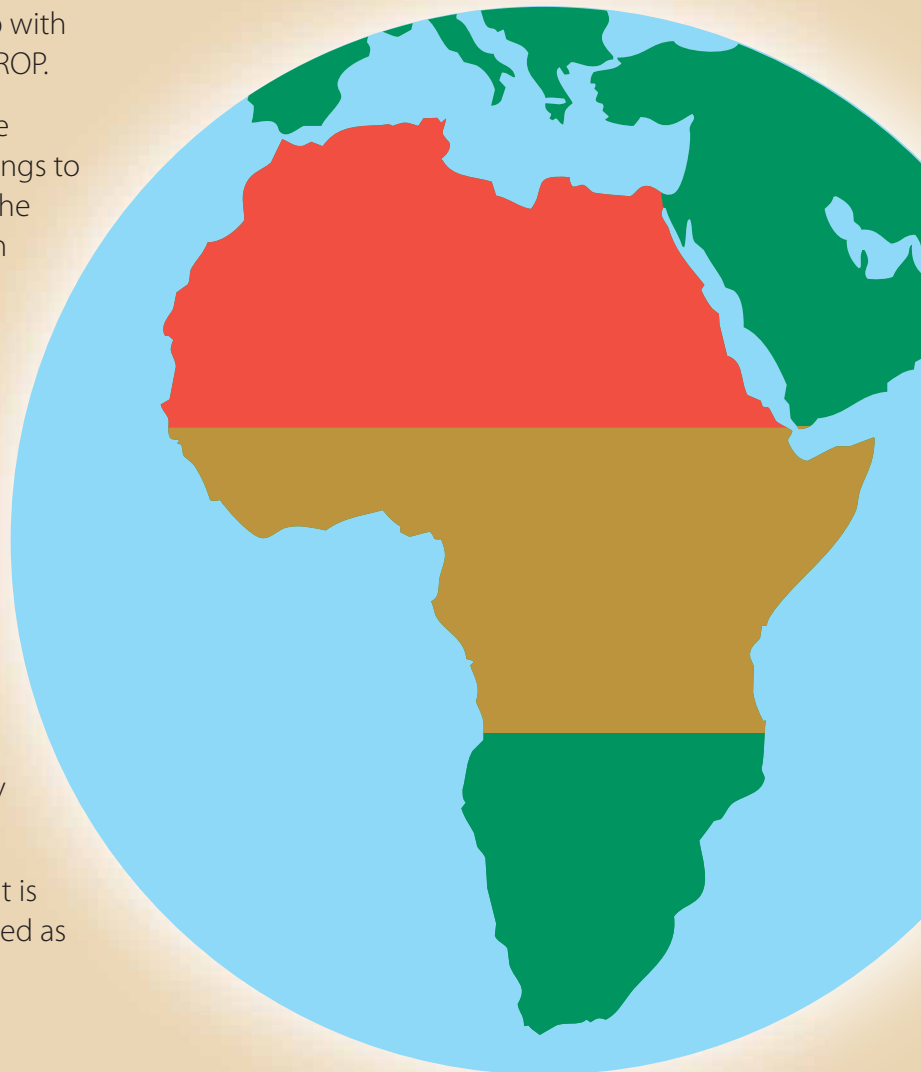
In an unprecedented development the Race Advisory Committee has cemented a relationship with the CWUHA that will see a project develop that ultimately will aim to bring water provision to a village in Tanzania, Africa.

The work will also see the two groups team up with the specialist water provision charity JUST A DROP.

The Equal Opportunities department notes the wonderful work of CWUHA and the hope it brings to so many under privileged children in parts of the world where life opportunities are pretty much non-existent. The passing of Motion 21 from this year's CWU annual conference means there is conference policy on this brilliantly worthwhile project.

Interestingly, motion 21 was the first time that the work of the CWUHA had been acknowledged in a positive light, which given how many years they have been working tirelessly is quite amazing! The RAC is deeply proud to be a part of this project and hopefully this will be the start of a long and meaningful engagement with the CWUHA where hope is transformed into reality through this and other projects.

The department would remind branches that it is possible to affiliate to CWUHA and they are listed as an official charity.



Branch Corner.

Branch secretaries and other branch officials are always working tirelessly in what for many is a thankless job!

We thought it would be a good idea to dedicate a page or two to the branches so you can share in any successes that we should be trumpeting – or alternatively you might want to pick the collective brain of CWU branches! Either way we thought this would be a good idea so if you would like to contribute to the 'Branch Corner' please email the department at equality@cwu.org.

Meet the Equality Team

As most of you will know I have recently stepped into this position and I am very keen to hear what you have to say and to offer as much help and support to everyone. You all do a brilliant job in the branches and it is up to us at CWU HQ to service your enquiries

as professionally and speedily as possible. Just so you know who you are likely to speak to when you phone our department we thought we would offer you a brief insight into all of the staff (pictures and brief profile included).



Dionne Gittens-Noel

Dionne has been in the department since 1988 and she offers excellent support on a daily basis to the whole team. She is the events organising guru and is the person responsible for negotiating the excellent deals we get at our equality conferences!



Julie Rodrigues

Julie is the second of the two PA's and again offers very good support to both myself and Fevzi. She has been in the department previously working to Al Crisp and it will be either hers or Dionne's voice you hear when you call us.



Fevzi Hussein

Fevzi has been the Policy Assistant in the department for three years and his knowledge and support is vital to helping me deal with all aspects of work undertaken in the department.

We hope you have enjoyed this. **Linda Roy** Assistant Secretary Equal Opportunities