



Welcome to the latest edition of the Equal Opportunities Department e-bulletin. Since the last edition there has been a hive of activity concerning Equal Opportunities and general diversity and cultural matters. We trust this latest edition will be received just as well as previous ones, as it will be covering various aspects of equality that are relevant to you.

In the last month or so the department has convened two very successful CWU Equality Conferences namely the Disability Conference and the LGBT Conference. Both of these conferences were very well attended and as usual the quality of debate was of a very high standard.

This will be the final e-bulletin of 2008 before we head into the New Year. No doubt 2009 will continue to bring CWU representatives and members plenty of challenges.

On behalf of my department I would like to wish you all a very pleasant festive period and hope and pray that 2009 brings you all security at work and good health.

**Enjoy the read,**



**Linda Roy**  
Assistant Secretary Equal Opportunities

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## **HUMAN FERTILISATION & EMBRYOLOGY BILL UPDATE:**

This issue is still just as important and CWU is keen to ensure that the Abortion Rights Campaign is in the minds of CWU women up and down the country. Some of the ways in which our members can support the campaign are shown below.

### **LOBBY YOUR MP TO SUPPORT POSITIVE CHANGES IN THE LAW THAT WOMEN NEED:**

- Allow one doctor, rather than two as at present, to approve an abortion – a change widely supported by the pro-choice movement, doctors, parliamentarians and ethicists.
- End unduly restrictive rules about where abortions can take place and who can perform them.
- Extend the Abortion Act to Northern Ireland to end an historic injustice that results in women paying £2,000 and travelling long distances for a safe abortion or bearing a child against their will.

MPs have passed The Human Fertilisation & Embryology Bill without debating any change to Abortion Laws. Some of the bill's most controversial clauses, on hybrid human-animal embryos, so-called "saviour siblings" and the child's need for a father were passed after heated debate before the summer recess.

Pro and anti-abortion MPs had tabled a series of amendments to the bill, but a tight timetable drawn up by the government meant they were not discussed during the three-and-a-half hour debate.

Health minister Dawn Primarolo, opening the debate on the timetable, said the bill's provisions had a potentially profound impact.

Without mentioning the abortion issue, she said this would be the last opportunity for MPs to debate the bill. "We have amendments which cover embryo research, the definition of embryos, the parenthood of people who receive assisted reproduction treatment and saviour siblings.

"These are matters that go to the heart of the bill and need consideration before the bill finally leaves this chamber."

Source: BBC Website

Conservative spokesman Mark Simmonds said he agreed the bill should not be a "vehicle for abortion amendments". But he said: "There is real concern and anger in all parts of the House about the government tactics to limit debate both on abortion and on other key aspects of this bill."

Pro-choice MPs had tabled amendments seeking to legalise abortions in Northern Ireland and require one rather than two doctors to approve and abortion. Pro-life MPs also attempted to add clauses to the bill including establishing a committee of both Houses to investigate the need for a change to abortion law.

The programme motion which set the timetable was carried by 322 votes to 157, and during the rest of the evening MPs only completed debate on one of the seven groups of amendments.

Labour MP Diane Abbott, leading a move to legalise abortion in Northern Ireland, criticised the timetable. "It seems to me that this programme motion and particularly the order of discussion is a shabby manoeuvre by ministers to stop full debate on some very important matters," she said.

Former chancellor Ken Clarke also attacked the "politically cynical" move.

"Cynicism would take my breath away if I was not becoming ever more accustomed to this process on the part of a control freak government that regards the House of Commons as an embarrassing nuisance to be silenced on all suitable occasions," he said.

Ms Primarolo said the bill had been subject to 81 hours of debate, including time for an abortion debate with no restrictions on amendments in the summer.

The bill was given its third reading, completing its remaining stages, by 355 votes to 129, a majority of 226.

## THE OTHER MAN ON THE PODIUM

When Tommie Smith and John Carlos gave a gloved Black Power salute on the Olympic podium in October 1968 it sent a shockwave through sport. But what happened to the other man on the platform?

Forty years ago, two black Americans, Tommie Smith and John Carlos, won gold and bronze medals in the 200m final at the Mexico Olympics, and used their time on the victory podium to protest with a Black Power salute. The photograph of the two men with their heads bowed, each of them with an arm raised in the air and a fist clothed in a black leather glove, is one of the most striking images of the 20th Century.

Their actions caused havoc at the Games, ensuring the pair were ejected from the US Olympic team. But three men won medals in that race, and the consequences for the third athlete on the podium would be every bit as significant.

The silver medallist was a laid-back Australian, an up-and-coming runner called Peter Norman who, in the words of his coach, "blossomed like a cactus" when he got to Mexico. While observers expected the Americans to make a clean sweep of the 200m medals, Norman kept them interested by breaking the world record in the heats.

### BLACK POWER SALUTE

- Raised fist traditionally used as salute by left-wingers and radicals
- Origins of gesture's adoption unknown
- Fist symbols adopted by Black Panthers in the 1960s

The three were waiting for the victory ceremony when Norman discovered what was about to happen. It was Norman who, when John Carlos found he'd forgotten his black gloves, suggested the two runners shared Smith's pair, wearing one each on the podium.

And when, to the crowd's astonishment, they flung their fists in the air, the Australian joined the protest in his own way, wearing a badge from the Olympic Project for Human Rights that they had given him.

The repercussions for Norman were immediate. Seen as a trouble-maker who had lent a hand to those desecrators of the Olympic flag, he was ostracised by the Australian establishment. Despite qualifying 13 times over and being ranked fifth in the world, he was not sent to the following Munich games, where Australia had no sprinter for the first time in the Olympics. Norman retired soon afterwards without winning another title. The film *Salute* is now on release in Australia, and being shown at various film festivals around the world.

**Source:** *Caroline Frost, BBC Website*



# CWU REMEMBERS ANTHONY WALKER



*Linda Roy presenting cheque to Gee Walker*

In July 2005 black student Anthony Walker was killed with an ice pick. He was 18. Two men were subsequently found guilty of Anthony's racially motivated murder. They are serving long jail sentences.



National Equality Officer Linda Roy recently presented a cheque for £500 to Anthony's mother Gee at the recent Anthony Walker Memorial Lecture.

Linda says "this was an occasion of mixed emotions for us all. Our collective hearts go out to the family of Anthony and to all who have been affected by the racist hatred and violence perpetrated on our young people. I am proud to be a member of a Union which is totally committed to eliminating racism wherever it occurs in society".

# DISABILITY AWARENESS WEEK

October 13th–17th was CWU Disability Awareness week. The union sponsored a national Disability Helpline staffed by members of the Disability and Special needs Advisory Committee.

Chair Tony Sneddon judged the week to be an overwhelming success and said "This initiative is very important to our members it gives them the opportunity to contact experienced representatives to find out information and get assistance".

National Equality Officer Linda Roy was pleased to assist what she described as "...an event which reinforces the union's commitment to our members with disabilities and special needs".



*Ted Stead, Tony Sneddon & Linda Roy taking calls during DAW*

## **DRAW (Dignity & Resepct at Work) gets recognition**



*David Vaughan, Head of Diversity & Inclusion, Royal Mail, Linda Roy and Brian Scott, Connect National Officer, with the signed statement*

Hundreds of members of Dignity and Respect at Work (DRAW) groups gathered at Rugby in October where the CWU reaffirmed it's commitment to eliminating bullying, harassment and discrimination from all Royal Mail workplaces. National Equality Officer Linda Roy signed the new agreement on behalf of the CWU.

In her keynote speech Linda recalled how her experiences on the CWU National Harassment Helpline eight years ago undoubtedly influenced the decision to set up DRAW. Linda also reiterated CWU condemnation of treatment of our members. She posed the question "Is everyone being treated equally with dignity and respect in the workplace?" Linda said that based on the many complaints received in her Department, anecdotal evidence and recent events in Burslem the answer has to be "No!". Does that mean the DRAW groups have failed?

Linda said "Definitely not. As I am sure you will hear today the work you have all done has gone some way towards achieving the original objectives of the project." Linda hoped that the renewed agreement would herald a new era where all of our members were treated with dignity, respect and fairness wherever they worked.

Dave Ward DGS ( Postal) commented: "We remain committed to Dignity and Respect for everybody. The National DRAW Groups play an important part in delivering our agenda. However, there is evidence that Royal Mail managers sometimes use these groups to circumvent industrial relations. This must stop. It is now time to refocus DRAW and make sure Royal Mail play its part – working with the union – not against us."

## Latest from the EHRC

### Working Better: New Survey reveals parents demand more flexible working

83% of dads and 86% of mums want to work flexibly according to the 'Homefront' survey conducted by two of Britain's leading parenting groups, Mumsnet and Dad Info. The Commission sponsored the survey as part of our Working Better Consultation.

The survey, which asked mums and dads how they balance work with childcare and what can be done to make their lives easier, has also highlighted how 71% of dads and 68% of mums say their family doesn't have the working arrangement they would prefer.

It will concern campaigners for flexible working that the economic downturn has triggered a Government review of its plan to introduce the right to request flexible working for parents with children under 16.

Responding to the Government review, Nicola Brewer, chief executive of the Commission said: "In tough times, business needs all the support it can get – keeping businesses going keeps people in jobs".

Companies will be looking to make the most productive and flexible use of their workforce. Genuinely flexible working – working smarter, often through informally agreed small changes to the organisation of work, not rigid, inflexible patterns – is part of the solution, not part of the problem. Flexibility provides business opportunities to deal with turbulent times.

'The Equality and Human Rights Commission is disappointed to see the old fashioned argument being made that flexibility has to be a burden, instead of a potential way to increase productivity in Britain. It need not be a business cost. It can be a business opportunity.

The Commission launched our Working Better initiative in July. It aims to identify modern, agile ways of working suited to the 21st Century.

Working Better is not just about parents. The consultation will look at how flexible working can help unleash the talents of a wide range of different groups such as older workers, carers and the disabled and will examine the role of wellbeing and work-life balance in increasing productivity.

Literally at the time of going to press, the Government department responsible for flexible working regulations has announced its programme for the next session of Parliament. Included in these proposals is a plan to give flexible working rights to parents with children under 16. This should not be confused with the current provision which allows parents to make requests for flexible working where they have disabled children up to the age of 18.

## **STUC UPDATE**

Linda Roy recently led CWU delegations to the STUC Black Workers, Disability & Special Needs, and Women's Equality Conferences in Dundee and Perth. She is very pleased to report that at all three conferences the CWU voice was heard loudly in general debates..

Linda would like to place on record the Union's thanks to all of the delegations that attended. Congratulations must go to Pauline O'Rourke and Martin Keenan who will both be shortly taking up very prominent responsibilities within the STUC. Namely Chair of Women's Committee and President of the STUC. Congratulations also go to Elspeth Bettany as she was successfully returned to the STUC Disability Committee.

All motions in the name of the CWU motions were successfully carried. This effectively means that campaign priorities for the STUC will also stretch to raising OCD awareness in the work place for Scottish workers and the issue of women's pensions will also be a key priority. The STUC Race Committee will be taking on policy on black representation within Scottish politics and respect for Asylum Seekers and Refugees.



**Left to Right:** Morag Rose, Pauline O'Rourke, Linda Roy, Joyce Stevenson, Helen Ogilvie and Kathy Newall



**Disability:** (R-L Elspeth Bettany, Gary Clarke, Willie Marshall, Tony Sneddon & Linda Roy



**Black Workers:** Amarjite Singh, Linda Roy, Piers Doughty-Brown

# THE LORDS AT IT AGAIN – SECTION 18

Join the campaign to allow unions to expel fascists  
The CWU have actively been encouraging its activist to get involved in Searchlight's innovative campaign designed to tackle racism head-on.

In a recent development the House of Lords has recently altered a section of a Government Bill that would have allowed trade unions to expel BNP members and other fascists from their ranks. Trade Union Friends of Searchlight (TUFS) is launching a campaign to call for the original clause to be reinstated or at least amended favourably when the Employment Bill returns to the House of Commons this autumn.

The Lords' amendments have actually made the situation worse. Under the revised Bill, trade unions will not only find it more difficult to remove fascists but individual BNP members will actually be afforded more protection than any other trade unionist.

A legal opinion on the Lords amendments concludes:  
"If the revised version of Section 18 comes into law, I am



convinced that it will become more difficult than ever for trade unions to expel BNP members. It will also be an opportunity for the BNP to pick publicity fights with trade unions, and also to waste trade union funds." TUFS is currently working with a number of MPs and Trade Unions to reintroduce the original section of the Bill and to lobby other Parliamentarians, in both the House of Commons and the House of Lords, to accept this change.

To convince the lawmakers about the strength of feeling on this issue, TUFS is launching a petition of trade unionists to call for the reinstatement of Section 18. We are urging all union branches and trade unionists to support our campaign.

## CHAKRABARTI FOUNDATION

The CWU's efforts in helping to raise awareness on the issue of increasing the national Bone Marrow Donor register are well recorded. Dr Chakrabarti was actually the consultant looking after our own Cyril Onyejekwe, who as you know is a leukemia sufferer still awaiting to find a match on the international register. When we heard Dr. Chakrabarti was setting up a new charity we wanted to plug it so that Asians (and Muslims) too recognised the importance of becoming a donor.

Manashi Chakrabarti Foundation is a UK-based charity established to help children suffering from curable cancers and thalassemia in India. This charity is run by eminent professionals with active input from others who feel passionately for the cause.

You might be surprised to learn that there is no comprehensive cancer care service for Eastern India which has a population of over 100 million. Whilst 9 out of 10

children with acute lymphoblastic leukemia in the USA get cured, only 3 out of 10 such affected children in India can access proper therapy. Whilst 90% of children with thalassemia and severe sickle cell disease reach adulthood in the UK, 80-90% of affected children in India do not live to see their 10th birthday.

This is a call which is supported by the CWU Equal Opportunities Department. Your generous donations will be directed in both setting up proper treatment facilities in Eastern India and sponsor treatment for children who cannot afford such treatment.

For further information, please visit our website:  
[www.mcfindia.org](http://www.mcfindia.org)

## **LAW UPDATE: RACE RELATIONS**

The law states clearly that employers cannot directly discriminate against job applicants because of their race. In *Centrum voor Gelijkheid van Kansen en voor Racismebestrijding v Firma Feryn NV*, the European Court of Justice (ECJ) said that there does not always have to be an identifiable complainant for discrimination to have taken place.

### **WHAT HAPPENED?**

In early 2005, Firma Feryn NV (a Belgian company) advertised for fitters to install doors at customers' houses by putting a large "vacancies" sign outside its premises. Despite the fact that it was having trouble recruiting, one of its directors stated publicly on national television and in newspaper interviews in April 2005 that the company would not employ any "immigrants" because customers did not want them in their homes.

The Belgian court dismissed a claim for discrimination by a Belgian equal opportunities organisation, saying that "there was no proof nor was there a presumption that a person had applied for a job and had not been employed as a result of his ethnic origin".

The court referred the case to the ECJ to determine if the company's public statements constituted direct discrimination under the 2000 European Directive outlawing discrimination on the grounds of racial or ethnic origin.

The ECJ said that although article 2(2)(a) defines direct discrimination as a situation in which "one person is treated less favourably than another... in a comparable situation", that does not mean there always has to be an identifiable complainant for a claim to come within the scope of the Directive.

It concluded that "The fact that an employer declares publicly that it will not recruit employees of a certain ethnic or racial origin, something which is clearly likely to strongly dissuade certain candidates from submitting their candidature and, accordingly, to hinder their access to the labour market, constitutes direct discrimination...", even if no particular complainant could be identified. It also said that if employers make public statements to the effect that they will not recruit "employees of a certain ethnic or racial origin" that will be enough to raise a "presumption of the existence of a recruitment policy which is directly discriminatory within...Directive 2000/4. It is then for that employer to prove that there was no breach of the principle of equal treatment. It can do so by showing that the undertaking's actual recruitment practice does not correspond to those statements.

### **MALCOLM VS LEWISHAM**

This issue is very much on the TUC's agenda. The TUC are considering the issue and how the law might be changed to reverse Malcolm in the Equality Bill and subsequently they are speaking to various disability law experts.

The Government have also said in their response to the Green Paper consultation last year that they intend to address the decision in the Bill. The CWU have been advised that the DWP will be putting out a consultation paper shortly which will present what the options are in terms of statutory change. This will come to us via the TUC and the CWU will be seeking to have a strong input into the consultation.

# EMPLOYMENT SUPPORT ALLOWANCE (ESA)

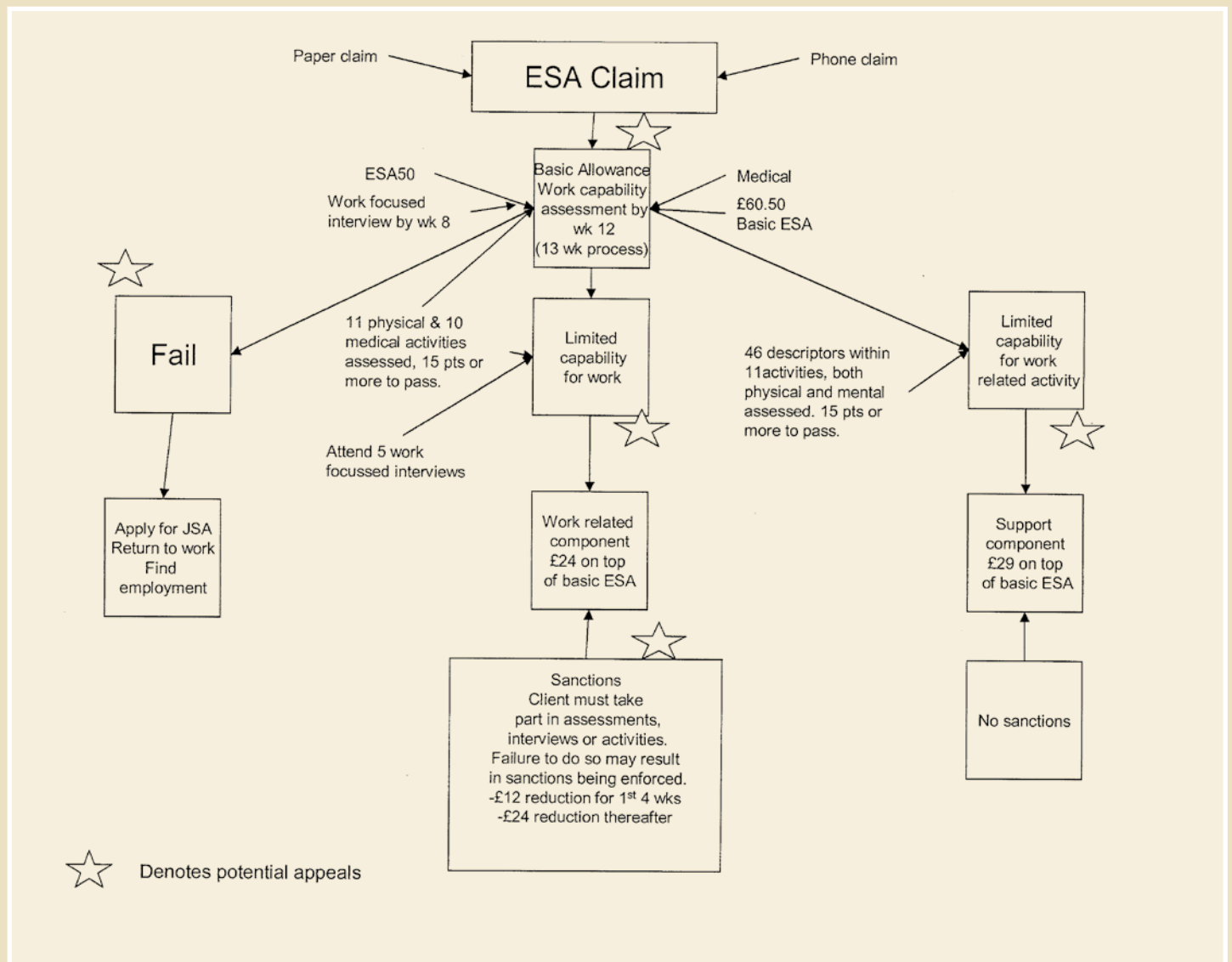
From the 27th October 2008 Incapacity Benefit and Income Support will cease as a benefit and will be replaced by a very similar benefit called ESA.

You will be able to claim ESA if you have limited capacity for work or are aged 16 or over and under pension age. You must also reside in Great Britain and must not be

entitled to SSP (Statutory Sick Pay), be off sick for three waiting days and have a medical certificate.

The ESA is a means tested allowance.

Please see below for an ESA Claim Flowchart which will give you an insight as to how a claim is progressed.



## WOMEN OF DISTINCTION

Soon after the invention of the camera, women began to step into the light and out of the shadows of history. Most of the early images of women were as they had always been portrayed – marriageable girls, dutiful wives, respectful servants and meek companions. But for the first time women were also seen proudly holding academic qualifications or badges of political office, sitting among their books, standing in laboratories and workshops, and surrounded by other campaigners for freedoms that would benefit not just women, but all of humanity.

The images chosen for these stamps honour six women of distinction and span the whole of the 20th century.

Although the ages and social backgrounds of the women vary widely, they all have the same clear, sharp, even slightly fierce gaze. These were not women who would ever accept that their only proper place was in the home.

Linda Roy attended the recent launch and had this to say "I welcome Royal Mail giving due recognition to the role that many women have played in our society – this is an excellent initiative and I am pleased that the CWU have been given the opportunity to express its support for it".

### CWU Women's Officer

In line with the CWU's Rule Book I would remind branches that when it comes to AGM time, please remember to advertise for a women's officer post too. Bring this notice to as many women's attention as possible.



## 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.

## Events for your diary

**Holocaust Memorial Day**

25th January 2009

**LGBT History Month**

February 2009

**CWU Black Workers Conference**

7th February 2009, Holiday Inn Hotel, Belfast

**CWU Women's Conference**

28th February 2009, Britannia Hotel, Manchester

I hope you all enjoyed the read. We have tried to again make sure the content is both topical and relevant. The department continues to strive to offer a dedicated level of service to our CWU branches and to people from within headquarters.

Just in case you forgot, the main contact details for my department are as follows:

**Linda:** 020 8971 7238

**Fevzi:** 020 8971 7388

**Julie:** 020 8971 7309

**Dionne:** 020 8971 7356

(Jackie Mellor currently covering for Dionne)

**Linda Roy**

Assistant Secretary

**[www.cwu.org](http://www.cwu.org)**

**Billy Hayes** General Secretary  
[www.billyhayes.co.uk](http://www.billyhayes.co.uk)



*The communications union*