

WEBSITE TEXT 12/04/2021

CAIWU dispute with JPC/Samsic

SOME BACKGROUND

In the week that the Shrewsbury 24 were acquitted on Appeal against their 1973 convictions for 'Unlawful Assembly', 11 CAIWU essential workers indirectly employed by Broadgate Estates have been targeted for redundancy due to their legitimate union activities highlighting workplace concerns with the outsourced services company. Worker victimisation within the 1970's construction industry is certainly alive and kicking in the services industry of the 2020's – now lost in a hall of mirrors of outsourcing, middle/management, holding companies and subsidiaries. In this same week, ongoing protests against the Police, Crime and Sentencing Bill gained momentum across the UK, highlighting opposition to proposed new public order offences "causing serious annoyance or inconvenience" and "aggravated activism" (with sentencing guidelines of up to 10 years). Taken together, the contours for the struggle ahead have become clearer, certainly for those many essential workers now facing job redundancies and housing evictions.

From today, Monday, April 12, 2021, 5 out of 16 CAIWU essential workers are facing dismissal at the hands of JPC Cleaning Services. JPC, a "premium London brand" is a subsidiary company of Samsic UK. Samsic UK itself part of Samsic Groupe, with an international client base in 25 countries, 30,000 customers, 93,000 employees and a revenue of 2.6 billion Euros according to their website. JPC/Samsic are the appointed facilities service provider of Broadgate Estates in London. Broadgate Estates manage the entire portfolio of their parent company, British Land with assets under management of £13.7bn and a £10.3bn property portfolio generating £485.3bn in annual rent. Also featuring in this hall of mirrors, is the City of London Corporation, governing body of the City of London and City of London Police, which acts as the 'enforcing agency' of UK government public health guidance.

In October 2020, at the height of the pandemic when 250,000 Covid-19 deaths had been recorded in Europe and the UK government announced a 4-week lockdown in England, 16 CAIWU essential workers, tasked with keeping Broadgate safe and Covid compliant, lodged a serious complaint against the JPC/Samsic Estates Manager. Their complaint was that management had failed to notify them of an on-site Covid-19 outbreak, breaching government guidelines for self-isolation following contact with an infected person.

After their concerns were brushed aside, the concerned workers raised a formal grievance. In a series of supporting witness statements, workers documented how management had withheld information about infected persons on-site and had deliberately targeted outspoken individuals to silence their concerns. In particular, workers were alarmed by the site manager's assertion that JPC/Samsic were under no duty to notify workers of positive Covid-19 results amongst the workforce, that self-isolation was voluntary, and that statutory sick pay was at the employer's discretion.

In response, JPC/Samsic Health & Safety Manager claimed that the workers statements were contested. Soon after, one of the signatories was summarily dismissed and the other signatories were placed on furlough, pending investigation. This was then brought to the attention of Director of Development and Community Services at Broadgate Estates in a letter which outlined JPC/Samsic mishandling of a Covid-19 hazard at Broadgate.

In an attempt to break out of the hall of mirrors, in mid-November 2020, CAIWU approached the Environmental officer at the City of London Corporation with an appeal to intervene. CAIWU proposed that City of London Corporation ought to investigate the workers concerns and alert the City of London Police to any serious matters of concern. Noting a "disagreement between the parties", The City of London Corporation declined to intervene and responded instead with details of the legal requirements

under the Health Protection (Coronavirus, Restrictions) (Self-Isolation) (England) Regulations 2020, stating that an individual should self-isolate only when required to do so by the authorities and that the company as such, is not legally responsible. The onus here, as elsewhere, was on 'individual responsibility' to follow government guidance and the health of CAIWU workers and their victimisation due to legitimate H&S concerns was not taken into account. The reply concludes with:

"If further information comes to light regarding the company having knowledge of a requirement to self-isolate then that will be of interest and this complaint will obviously form part of any further intelligence we would consider"

It appears that JPC/Samsic management do have knowledge of a requirement to self-isolate where individuals have come into contact with someone who tested positive for Covid-19, and indeed, have been known to take the enforcement of their Health & Safety measures very seriously. The problem here, appears to be one of inconsistency. One rule for workers, another for management.....

The essential workers from JPC/Samsic at Broadgate are facing dismissal for following protocol and making an internal complaint about an incident of potential gross negligence breach of trust by senior management arising out of breaches of JPC/Samsic's Covid-19 Health & Safety Guidelines. Rather than being taken seriously, these essential workers are facing dismissal proceedings on the pretext of Covid related downsizing and staff restructuring.

The hearings which are due to begin this week, will be conducted by those same non-essential JPC/Samsic HR and Client Account Managers who should themselves, as far as we're concerned, face dismissal proceedings for breaching JPC/Samsic UK's own Covid-19 Health & Safety protocols.

OPEN LETTER TO BROADGATE ESTATES 12/04/21

The Cleaners And Allied Independent Workers Union (CAIWU) regret having to directly contact Broadgate Estates again about your outsourced subcontractor, JPC/Samsic, victimisation of 5 out of 16 essential workers who have been selected for possible dismissal. We contend that JPC/Samsic actions are not only illegal but, given the overall pandemic situation in which this victimisation is set to occur, anti-social and life threatening. CAIWU would like to give Broadway Estates an opportunity to put things right and this Open Letter is offered up in this spirit.

Essential workers, throughout the worst of the pandemic, have unquestioningly risked their lives to keep your buildings clean and Covid Compliant. Instead of being lauded as diligent employees and socially responsible 'whistle blowers' - they now find themselves victimised and threatened with dismissal. In October 2020 when they first raised a formal complaint against JPC/Samsic regarding management irresponsibility with a case of on-site exposure to Covid-19 they sought to protect not only themselves, but their workmates, and all of UK society as a whole.

It has not escaped our attention that CAIWU workers have been selected for dismissal precisely because of their opposition to JPC/Samsic anti-social workplace practices last October and November; victimisation which is reflected in their spurious criteria for job redundancies in forthcoming 'consultation meetings'. To give a sense of what's going on in your buildings, details are provided in the introduction above about specific instances, along with the City of London Corporation's response (including the possibility of future police action and legal enforcement of the UK government Health Protection (Coronavirus) Regulations 2020.

On Friday 16th April, 2021, we will bring our campaign to your London Headquarters to challenge the impending dismissals and invite you to respond to this situation by compelling your outsourced company, JPC/Samsic to immediately desist from any further victimisation.

This Spring, the British Medical Journal referred to the UK and other nation states behaviour in this pandemic as akin to 'social murder'. It seems to us that Broadgate Estates, JPC/Samsic client companies, are ultimately responsible for subcontractors behaviour and CAIWU intend to highlight the way in which essential workers are now regarded as expendable in the pandemic, akin to social murder. To get our campaign for justice under way, CAIWU's protest action on Friday 16th April will be followed by the launch of a national media campaign highlighting JPC/Samsic mismanagement in the face of basic worker Health & Safety concerns in the pandemic and calling out Broadgate Estates accountability on this matter as the client organisation. The vast majority of the public, the consumers on whom business depends, have played by the rules during the pandemic at cost to themselves. They are not amused by those who have not done so whatever semantics they may use. They will be still less amused when they see revenge being taken on those who have pointed out failures of responsibility.

CAIWU acknowledge that for Broadgate Estates, business is business, and profitability will always be the bottom line; but we also know that in the post-pandemic period there will be a reckoning with those in positions of power and responsibility who have behaved egregiously, particularly towards those essential workers who have kept us safe. We offer Broadgate Estates a window of opportunity here to put things right, reign in JPC/Samic's abuse of power and victimisation of our workers OR get caught up in the ugly side of our campaign.