



Cleaners and Allied Independent Workers Union  
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### **Cleaners' union rep dismissed from job at City Legal firm Addleshaw Goddard**

London, UK – January 15<sup>th</sup> 2020

Efraín Posso, a cleaner for Incentive FM at their client Addleshaw Goddard, has been dismissed as a result of a procedure known as “third party pressure”.

Efraín's dismissal resulted from a request to Incentive by Addleshaw Goddard to remove him from the site. Such removals are often a contractual right of the client under contracting service agreements.

Prior to being dismissed, Efraín was placed on authorised leave during a so-called ‘investigation’ process which involved a formal meeting to discuss the client request. When the client made clear its unwillingness to countenance Efraín’s reinstatement following this meeting, Incentive say they attempted to redeploy him at another location. However, emails seen by Efraín’s trade union, the Cleaners and Allied Independent Workers Union (CAIWU), suggest that any such attempt was cursory at best, amounting to little more than a suggestion that he look at the jobs on the company’s web site. When no suitable alternative position was found, Incentive say they were left with no choice but to dismiss him.

Incentive FM maintain that they do not believe the client request was made in response to Efraín’s trade union activities.

However, CAIWU are concerned that this is a retaliation to Efraín’s role as an elected union representative at Incentive FM, where he has advocated for improved working conditions in a long-running dispute involving the night-shift cleaners at Addleshaw. An online article identified Efraín as a trade union activist in 2019, shortly before his suspension.

Incentive FM claims that the request was made by Addleshaw Goddard following an allegation that Efraín was asleep at work, an accusation he denies. Neither Addleshaw Goddard nor Incentive FM have been able to identify the source of the allegation, and no evidence has been produced to support it despite Incentive’s three-week investigation.

Efraín has explained: “I do not have time to sit down during a shift, when would I fall asleep?”

Members and supporters of CAIWU carried out a number of protests and formal strikes at the Addleshaw Goddard site in Moorgate, London, throughout 2019, following two years of campaigning for the London Living Wage, contractual sick leave and equal annual-leave — conditions that their colleagues covering the day shift already enjoy.

Over the summer of 2019, this culminated in a number of public protests, which led to a 5% pay increase by Incentive FM for its night-shift staff. This brought salaries in line with the contemporary living wage rate, but Incentive refused to guarantee to maintain pay in line with the annual London Living Wage adjustments announced each autumn to reflect the true cost of living. Incentive FM also refused to commit to a contractual sick pay scheme for night-shift workers or to award equal annual leave to all cleaners.

CAIWU has been in regular contact with Incentive FM for over two years in an attempt to reach satisfactory conclusions to challenges faced by cleaners in their roles, such as inadequate provision of equipment, and arbitrary allocation of tasks (not corresponding with skillset or experience).

It is difficult to avoid associating Efraín's suspension with his well-publicised trade union activities, leaving other union members at the company concerned for their own rights.

CAIWU organiser Danbert Vanzetti states that the union has seen a significant increase in third party pressure dismissals in recent months. He believes that companies are increasingly using it as a way of avoiding the legal employment protections that prevent workers being dismissed without due process. As a direct employee of Addleshaw Goddard, Efraín could not have been dismissed on the basis of an unsupported allegation. If he had been, his employer would have been guilty of unfair dismissal. However, under third party pressure, Incentive has only to show that it tried its best to either persuade its client to withdraw its request for removal, or to redeploy him at another location.

According to Vanzetti, 'the whole system is rigged in favour of the client. Basically, no dismissal will ever be deemed unfair if the employer is following the instructions of its customer. They just have to make a pretence of trying to find the worker another job.'

CAIWU has announced a protest in support of Efraín on Valentines Day, February 14th, outside Addleshaw Goddard's offices in Milton Gate.

To support the campaign to reinstate Efraín and for all night-shift cleaners to receive the London Living Wage, please consider attending the protest and donating to CAIWU's campaign fund at [bitly.com/caiwupp](http://bitly.com/caiwupp)

**About CAIWU:** The Cleaners & Allied Independent Workers Union is a registered trade union representing over a thousand workers mainly in London's cleaning industry. We believe that every human being is entitled to dignity and respect in the workplace, and it is our mission to help our members fight for this basic right, along with others like fair pay, terms and work conditions.

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**Notes to editor:**

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