

CROSS PARTY GROUP IN THE SCOTTISH PARLIAMENT ON CONSTRUCTION

CROSS-PARTY GROUP IN THE SCOTTISH PARLIAMENT ON CONSTRUCTION

CR4, SCOTTISH PARLIAMENT,
EDINBURGH, EH99 1SP

5.30pm Tuesday 29th January 2019

Brief Notes

1. Welcome

Monica Lennon (ML) MSP welcomed everyone to the meeting

2. Matters Arising

The meeting adopted the notes from the meeting on 13th November 2018. An action for the Secretary is to amend these meeting notes accordingly, as ML was absent and Sandra White (SW) MSP chaired the meeting in ML's absence.

3. Brexit and the potential impacts on the construction workforce in Scotland

ML noted that at the previous meeting SW and others had suggested Brexit and its impact on the Scottish construction industry as one of the topics proposed for future CPG on Construction meetings. Hence the topic for today's meeting.

ML added that the main aspect of the theme regarding Brexit, is its impact on the employment protections for construction workers as a result of EU law: including the working time directive. ML was also keen to discuss:

-What guarantees exist in respect of future employment law protections?

-How this may impact on collective agreements/terms and conditions in both the immediate and long term.

-Immigration and the rights of EU workers and what actions could be taken in Scotland to address any of these issues.

ML welcomed the two speakers: Steve Dillon (SD), Regional Co-ordinating Officer Unite the Union and Eleanor Mannion (EM) from MacRoberts.

In SD's presentation he noted that Unite's top priority is protecting jobs and employment rights as Brexit unfolds; and campaigning to ensure that EU social and environment protections for workers are transposed into UK law. He noted that:

- Employees must retain all working rights regardless of what type of Brexit emerges
- That the 'Fair work' convention must be embedded in Scotland

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- Employment law is a reserved matter but Unite supports the devolvement of employment law to Scotland
- Freedom of movement must continue after Brexit

EM noted in her presentation:

- The same rules and laws concerning employment law in the UK will apply the day after Brexit, just as they do so today. Indeed all EU legislation will be converted into UK law. This as per the EU Withdrawal Act.
- Following Brexit, the UK Government may choose to amend some EU legislation, whilst we don't know if any employment laws will be possible 'targets', there is the potential for employment law protections in the UK to be rolled back.
- Immigration. Following Brexit, EU workers will have to apply for settled status and a consideration for employers is what support they will be able to provide to EU workers.
- The MAC report's £30K salary threshold for migrant workers entering the UK. This has received criticism from industry.

Both presenters noted the constantly changing political landscape around Brexit, as we approach the date when article 50 is triggered (29th March 2019).

SW asked if there was any opportunity for the Scotland to circumvent any potential changes to EU law and immigration policy which the UK Government may legislate on. EM confirmed that as both are reserved matters, this is not possible.

ML thanked both presenters and there were questions and discussion concerning the fair work convention, culture change within the construction industry, British standards and EU standards, certification schemes in Scotland and licensing the UK construction industry. It was also noted that Brexit is a possible opportunity for the Scottish Government to review aspects of the EU procurement directive.

4. Inquiry into Scotland's Construction sector by The Economy, Energy and Fair Work Committee

ML confirmed that The Economy, Energy and Fair Work Committee is seeking views on the construction sector in Scotland. The remit of the inquiry is to understand the characteristics and challenges of Scotland's construction sector, to ensure the sector realises its full potential in contributing to a productive and inclusive Scottish economy. Specific areas of focus will include: economic impact; access to finance; skills; procurement; infrastructure investment; and innovation.

Cara Hilton (CH) had recently confirmed that Cross Party Groups (CPG's) can submit their own evidence to the inquiry. Gordon Nelson (GN) noted that he was preparing a response on behalf of the FMB and that other CPG members were preparing responses on behalf of their

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own organisations. There was discussion about whether it would be practical for the CPG to submit a response given that CPG members cover a broad range of segments of the construction industry and agreeing on the final wording before the 13th February deadline would be optimistic. Alexander Burnett (AB) MSP was of the view that individual responses should be submitted.

ML asked CH and GN to liaise with a view to submitting a generic response covering issues the CPG discusses and any burning issues.

Action: CH and GN to discuss

5. Any Other Business

(i). Steve Slessor (SS) asked if the CPG should promote its work via social media. ML agreed and asked SS to look into setting up a twitter account for the group.

Action. SS regarding twitter.

(ii). SELECT on the regulation of electricians. GN noted an item from Alan Wilson of SELECT:

The Scottish Government has issued a "Call for Evidence" to consider the case for regulation and is seeking to gather evidence on the extent of substandard electrical installations in Scotland and the risks posed to the general public. This 'Call for Evidence' is an opportunity for the whole construction industry to send a clear message to the Scottish Government that action is required and that Regulation should be introduced.

People can participate by visiting: www.pyetait.com/Regulating-Electricians-in-Scotland. The closing date is 15th February 2019.

6. Date of Next Meeting

Tbc.

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Attendance

Monica Lennon MSP
Alexander Burnett MSP
Sandra White MSP

Grahame Barn- CECA Scotland
David Cole – ICE Scotland
Willie Crowe- ISE Scotland
Steven Dillon – Unite the Union
Elaine Ellis – Skills Development Scotland
Ron Fraser- Construction Scotland
Anne Galbraith – SECTT
Robert Girvan – CITB
Cara Hilton – CECA Scotland
Fiona Hodgson – SNIPEF
Stephanie Lowe – SNIPEF
Barri Millar – Association for Project Safety
Eleanor Mannion- Macroberts
Gordon Nelson – Federation of Master Builders
David Petrie- Homes for Scotland
Stephen Slessor – Morrison Construction
Stephen Young- Civil Engineering Contractors Association/Institute of Structural Engineers

Apologies

John McKinney – Scottish Contractors Group
Alan Wilson – SELECT
Stuart Tennant – University of West Scotland
Colin Tennant- HES
Maureen Douglas- Forster Roofing
Frank Gray
Ann-Marie Waugh- Glass & Glazing Federation

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