

Commission on Vulnerable Employment (CoVE)

Public consultation and call for evidence

Introduction

1. The Commission on Vulnerable Employment (CoVE) has been established by the TUC to undertake a major investigation into the causes of, and solutions to, vulnerable employment. The Commission is comprised of 16 senior figures from business, civil society, academia and trade unions. More information about its ongoing work programme is available on its dedicated website (www.vulnerableworkers.org.uk).
2. The Commission is now undertaking a wide scale public consultation. We want to hear views from organisations and individuals across civil society, trade unions, business and academia about vulnerable employment and how it should be tackled.
3. This consultation will be open until **30th November 2007**. We welcome submissions that directly address *some or all* of our key questions. We are also keen to receive *supplementary evidence* providing general information on vulnerable employment. This includes internal reports and evaluations, personal testimony, anecdotal evidence, published or ongoing research and existing consultation responses. The responses we receive will directly inform our recommendations for how vulnerable employment can be addressed.
4. We have sent this consultation document to a wide range of organisations that have already supported the work of the Commission, or have expressed an interest in its work. If you know of others who would be interested in responding to this consultation, or who have evidence to submit, please do send this call on to them.
5. When responding, we would appreciate it if you could state whether you are doing so as an individual or representing the views of an organisation. If you are responding on behalf of a larger organisation, it would be helpful if you could make it clear who the organisation represents. All consultation responses will be acknowledged.
6. In addition to this consultation the Commission is gathering evidence through regional meetings with people in vulnerable employment, commissioning new research and taking expert evidence. Full information on the work of the Commission can be found on its website: www.vulnerableworkers.org.uk. If you have specific questions on the work of the Commission please contact Nicola Smith, Senior Policy Officer at nsmith@tuc.org.uk or 0207 467 1201.
7. Electronic responses should be sent to: nsmith@tuc.org.uk

Paper responses should be sent to:

Nicola Smith
Senior Policy Officer – Commission on Vulnerable Employment
Trades Union Congress (TUC)
Great Russell Street
London
WC1B 3LS

Key questions for consultation

The Commission's working definition of vulnerable workers is as follows:

"Workers whose participation in the labour market places them at risk of ongoing and often extreme suffering, uncertainty and injustice resulting from an imbalance of power in the employer-worker relationship"

This definition concentrates upon the risk that that workers have of experiencing exploitation at work. It therefore presumes that exploitative abuse is not always synonymous with denial of legal employment rights. It also defines vulnerability, in common with other definitions, as distinct from wider labour market disadvantage.

The Commission is now keen to consult widely on a range of issues surrounding vulnerable employment. The consultation responses will directly inform the Commission's recommendations and reporting as well as its final definition of who vulnerable workers are. Key questions the Commission is keen to hear your views on are outlined below:

1. What are the different factors that impact on the power relationship between employers and workers, and therefore place workers at risk of vulnerability?

We are interested in views and evidence on the factors that place workers at risk of vulnerability. Sub questions of interest are:

- a. What impact, if any, do any of the following factors have on the balance of power between employers and workers, and therefore upon the chances of someone being at risk of experiencing vulnerable employment? *Please feel free to provide evidence on factors of specific factors of interest to your experience.*
 - **Personal characteristics** including:
 - Ethnicity
 - Financial resources
 - Gender
 - Health
 - Immigration status
 - Offending history
 - Skill levels, including English language skills
 - Sexuality
 - Trade union membership
 - Other factors
 - The **formal employer/worker relationship** including:
 - Workers who are employed by agencies
 - Workers who are have temporary contacts of employment with their employers
 - Workers who undertake work for their employers at home
 - Workers whose employers do not declare their wages for tax and national insurance purposes
 - Workers whose employers pay them for undertaking work that is illegal
 - Workers who are legally defined as self-employed
 - **Employment characteristics** including:
 - Jobs undertaken
 - Level of pay
 - Sector of employment
 - Size of business

- Access to education and training
 - Whether or not there is trade union recognition
- **Government legislation and regulation**
 - Welfare benefits and tax credit systems
 - Immigration regulations
 - Access to education and training
 - Existing employment rights legislation
 - Existing enforcement regimes
 - **Wider social factors**
 - Changes in trade union membership
 - Existing availability of information and to advice services
 - Local and national labour market change
 - Level of unemployment
 - Other social change
- b. What are your views on the relative impacts of different factors? For example, do particular factors place people at higher risk of vulnerability than others?
- c. Are we right to presume, in contrast to the DTI, that vulnerable work can be experienced by people who do not have recourse to existing legal protections?

2. What are the employment experiences of vulnerable workers like?

We are interested in views and evidence on the employment experiences of vulnerable workers. Sub questions of interest are:

- a. What are the specific characteristics of vulnerable work in areas including:
- Access to training?
 - Experience of discrimination?
 - Health and safety?
 - Hours of work?
 - Job security?
 - Levels of pay?
 - Parity of pay with other workers?
 - Pensions?
 - Types of work undertaken?
- b. How do levels, types and extent of abuse vary amongst vulnerable workers?
- c. What specific examples of worker exploitation have you encountered?

3. What is the scale of vulnerable employment?

We are interested in views and evidence on the scales of vulnerable employment. Sub questions of interest are:

- a. Does the scale of vulnerable work vary between workers with particular:
- personal characteristics?
 - formal relationships to their employers?
 - types of employment?
- b. What evidence is there on trends in vulnerable employment, including
- national trends?
 - trends in particular geographical areas of the UK?
 - trends amongst particular groups of workers?

- c. What are likely future trends in vulnerable employment?
- d. To what extent can trends in vulnerable employment be measured?

4. What are the impacts of vulnerable employment?

We are interested in views and evidence on the impacts of vulnerable employment. Sub questions of interest are:

- a. What are the impacts of vulnerable work for individuals, their families and their communities?
- b. How does vulnerable employment impact upon the wages and working conditions of others who are not vulnerable at work?
- c. What impact does vulnerable employment have upon labour market change nationally and locally?

5. What are the solutions to vulnerable employment?

We are interested in views and evidence on how vulnerable employment could be challenged. Sub questions of interest are:

- a. How could the following organisations better address vulnerable employment:
 - Government?
 - Trade Unions?
 - Civil society organisations?
 - Employers?
- b. To what extent do current immigration regulations contribute to vulnerable employment?
- c. To what extent does the current welfare benefits system contribute to vulnerable employment?
- d. Can you highlight particular good practice examples of when vulnerable employment has been successfully reduced or challenged?

6. What other evidence and information should the Commission be considering?

We are interested in any other relevant evidence that you are aware of that you feel the Commission should consider. This includes:

- Internal reports and evaluations
- Personal testimony
- Anecdotal evidence
- Published or ongoing research
- Existing consultation responses
- Any other relevant documentation

We are also interested in people's broad views on the work of the Commission, or on any other aspects of vulnerable employment not covered in the questions outlined above.

Thank you for taking the time to respond to this consultation and call for evidence.