

one death too many



first fatality at the 2012 Olympic site

how many more?

An inside report by IWW members

100% donated union labour

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contents:

summary	1
introduction: boom, bust and the olympic dream	2
one death too many: Shaun Scurry, december 2009	5
health and safety: myth and reality at stratford city	7
organisation: the limits of partnership	11
conclusions: building worker-led collective organisation	12

Note from the Main Authors

This report has been compiled and written by IWW members with information fed to us by anonymous IWW and non-IWW whistle-blowers working on the Westfield Stratford City section of the 2012 Olympics construction site. In order to protect our own identities, we have also chosen to be anonymous. We cannot confirm the state of Olympic worksites elsewhere, but we suspect that the workers encounter similar conditions to those outlined in this report. All information within the main body of the report has been gathered from real-life experiences and observations by workers themselves. The original version of this report was written in mid-2009, however, this version has been updated in early 2010 since the tragic death of one worker at Stratford City in late 2009.

January 2010, London.

summary:

This report documents and critically analyses the working conditions of construction workers on the Westfield Stratford City site of the 2012 Olympic Games. We base our findings entirely on the accounts of IWW and non-IWW construction workers employed there. The identities of workers interviewed are kept confidential due to the blacklisting and victimisation of unionists on the site and throughout the industry.

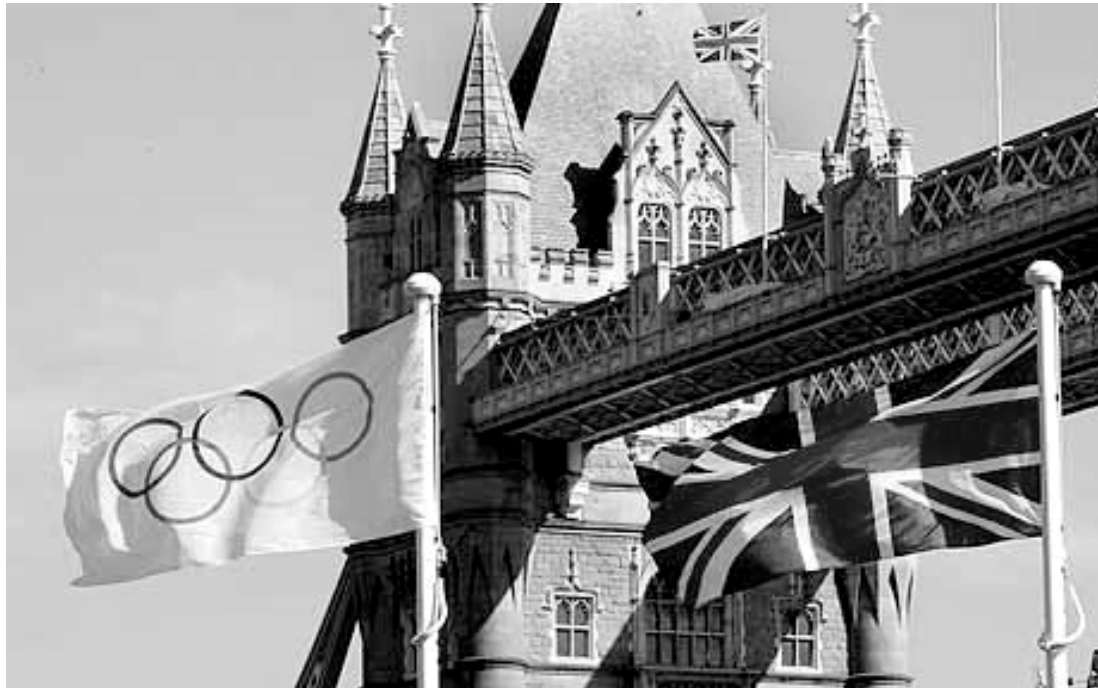
In the wake of the death of one worker at the site in December 2009, this report documents the continuing widespread mismanagement and systematic breaches of basic health and safety standards placing workers at ongoing risk of death and serious injury. Police intimidation of workers and harassment of union activists is also documented.

The underlying problems experienced by construction workers on the Olympic projects are based in the domination of the worksite by management and the lack of rank-and-file control of UCATT, the recognised union. We propose that workers organise collectively to defend and promote their economic interests as workers, against the interests of the employers which are fundamentally irreconcilable with them. Additionally, our evidence demonstrates that practices of 'partnership' are not sufficient to ensure that workers' health and safety is upheld.

The content of this report is entirely the work of the authors acting in an individual capacity, and does not claim to represent the opinions or policies of the IWW union (though there may be similarities). For more information on the IWW, please consult the official IWW website or IWW publications.

introduction:

boom, bust and the olympic dream



In October 2008, Sebastian Coe, the London 2012 Chairman, outlined five key priorities for the Olympic site based in East London. First was a commitment to “put athletes first,” followed by “giving everyone a chance to be part of 2012”. Additionally, Coe prioritised “listening to the experts” and establishing “a legacy we can all be proud of”.

The final priority was simply “construction”. The Olympic Delivery Authority (ODA) invested £9.3 billion to build an Olympic village that would not only provide excellent sporting venues, but would also live on as a focus for the communities around the Olympic site.

However, as construction continues, increasing evidence has been mounting surrounding the so-called “regeneration” of the area, which in reality has involved forced evictions, pollution of large areas, increases in living costs and bulldozing of entire working class neighbourhoods deemed ‘insufficiently marketable’.

The attacks on East London’s working class communities, however, are not the topic of this report, and have been discussed extensively elsewhere. This research reports on the working conditions on the Olympic building site, and how construction workers can change the way they work and the conditions they work under.

In recent years, as an industry dependent on economic ups and downs, construction has experienced a significant boom, followed by a bust the magnitude of which we do not yet fully know. The housing construction sector has been hit especially hard, due to volatile housing markets, along with a similar decline in building supplies. For example, Travis Perkins, Britain's largest builders' merchant, saw their profits drop by 44% during 2008 and house-builder Persimmon saw a 2008 loss of £780m.

Two clear results of the onset of recession have emerged in the construction sector. Firstly, job cuts have been an inevitable side-effect of the recession. Thousands of jobs, mostly in building construction have already been lost as companies scramble desperately to keep up the enormous profits seen in the last few years. With formal and informal modes of blacklisting rife within the industry, these layoffs are likely to target union militants as the recession deepens.

In fact the secret blacklist of trade union militants in the UK discovered by the investigation and prosecution of a private investigator by the Information Commissioner's Office showed that all the major construction companies, major subcontracting companies and labour suppliers at the Olympic construction sites were all paid up subscribers to the blacklist, without exception. Representatives from unions not officially recognised by Westfield and other employers have been repeatedly refused entry to the site and members and activists of unions suffer increasing surveillance and harassment from the employers at the Westfield site.

Secondly, while construction workers have felt the full force of recession, employers are cutting back everywhere except their profits. Rather than accepting reductions in profits and smaller demand for their services, company heads continue to pay themselves generous salaries while they lay off their workers.

The ODA boasted that the Olympic sites would be the greenest constructions sites, with large amounts of materials transported by boats and waterways into the heart of the site. Many thousands of pounds were spent to build a dock to unload materials. We now understand that this is unusable due to the low water levels being inadequate for large boats to use it.

The Olympic construction site is covered by a Memorandum of Agreement that forms the basis of industrial relations on the site. This includes:

- London Living Wage (£7.05 initially, now £7.60 per hour) as the minimum rate of pay for all workers on site
- A safe working environment
- Effective industrial relations
- Fair terms and conditions for all workers on the site, and as a factor in the procurement process
- Access to learning and training opportunities
- Widely available information on workplace rights and union membership

The Memorandum of Agreement was signed before the commencement of work by the Olympic Development Authority and the national construction trade unions – Transport and General Workers Union (now the T&G section of Unite the Union), Amicus (now the Amicus section of Unite the union), GMB and UCATT. The Memorandum recommended direct employment and for major companies to employ the majority of the workforce.

The reality is very different. There has been a proliferation of pyramid sub-contracting throughout all projects. The exclusive sweetheart agreement signed between UCATT and major companies has meant that this outsourcing has been allowed to continue. UCATT has a number of non-elected stewards in place, appointed by UCATT officials. This arrangement goes against real union principles and the conflict of interest created by it is self-evident.

While we note that conditions on the Stadium and Athlete's Village sites are somewhat better than some other building sites, at the rest of the Olympic sites the Memorandum provisions such as the Living Wage, have already been broken by subcontractors, and other provisions are so vague as to be virtually meaningless.

In recent weeks (January 2010), Unite officials (mechanical and electrical) have been gaining access to the site. IWW members have seen greater activity from Unite now that UCATT is losing its monopoly in terms of union presence. Unite has been proactive onsite, and there is union information from IWW and other unions being distributed by members. Many IWW members attended the demonstration called by Unite members in support of direct employment and against the blacklist outside the Pudding Mill Lane entrance to the Olympic site. This was boycotted by UCATT officials.

one death too many:

shaun scurry, december 2009



On the 9th December 2009, Shaun Scurry, a worker on the Stratford City section of the Olympic construction site was seriously injured and later died from his injuries. After three weeks without a word from the ODA, a short press release was drafted by the ODA claiming that they were upholding proper health and safety requirements throughout the site. Clearly this was not the case. A tragedy such as this could have been avoided with proper adherence to well-established and legally required health and safety standards.

Out of this IWW report, a damning picture of the state of the site—and the industry—emerges, as we seek to discover the reasons behind this man’s death and how future incidents could be avoided. Interviews with workers on the Stratford City site working on the day of the accident show a very different picture to the one portrayed by the ODA, Westfield and their PR machine.

Shaun Scurry was directly employed by Firesafe who are contracted by Westfield to install fire safety systems. At approximately 9am on the morning of the 9th December, workers saw security staff running and heard rumours of an accident. During the period before the HSE and Police arrived on the site, PC Harrington (also contracted by Westfield) closed the sector.

The workers spoke to PC Harrington management and demanded to know what had happened, but were met with silence. Instead, PC Harrington attempted to cover up the poor condition of the sector that they are responsible for by erecting safety signs and fences, marking and cleaning walkways, and securing ladders. This was done *before* the arrival of the safety authorities as an attempt to cover up their own mismanagement of the sector.

Once the Police arrived, the Firesafe workers were sent home but, remarkably, the other workers in the sector were told to remain at work. It was only in the days after that the other workers found out more details of the accident. It is stated by workers with direct knowledge that Shaun Scurry was working alone on a scissor lift without a second ground operator as required for safe working. The scissor lift controls were inadvertently activated, and he was crushed against a steel beam when the lift rose and pinned him.

The actions of Westfield and their sub-contractors such as PC Harrington were disgraceful and cynical. Rather than send home the workers from the site as a mark of respect, carry out a complete health and safety audit and provide accurate information, management forced workers to continue working not knowing what caused the accident or the condition of the injured worker. To make matters worse, the unelected UCATT steward for the larger site did not come to the sector either on the day of the accident, or afterwards to investigate the accident or speak to the workers. Nor did any other UCATT official. The only information came from a visit on the day of the accident by a Unite official.

The workers are angry at being left in the dark and about the lack of respect shown by not closing the site. Over £13,000 has already been collected by the workers on the various sites and in trade union branches. This shows the strong feelings amongst the workers that should be harnessed into union activity. It can only be hoped that with the UCATT monopoly broken with the arrival of mechanical and electrical trade workers, the IWW and other unions will be able to help with the organisation of workers onsite to fight for the right to a safe and well-paid job, and some control over their working lives.

This short report deals primarily with the health and safety conditions in the section of the site with an IWW presence. As such, it can only tell part of the story. We begin with an analysis of the health and safety conditions on the site, before making recommendations as to how workers can respond to the ongoing dangers of the construction industry.

health and safety:

myth and reality at Stratford City



The Westfield Stratford City site, late 2008

Photo: Westfield

Introducing the site, and Westfield

While the ODA and their trade union partners made modest steps on paper towards a decent collective agreement concerning conditions on the Olympic construction site, the major companies have systematically undermined and broken the Memorandum of Agreement with the ODA.

In this section, we outline the everyday experiences of bad practices, irresponsibility, disrespect and systematic health and safety risks perpetuated at the Stratford City development by Westfield and their sub-contractors. Westfield, responsible for the West London shopping mall of the same name, undertook the more than £2 billion construction project with great enthusiasm in 2008. Yet, the downturn in the economy has led to a massive drop in profits for the giant retail construction multinational, which currently stands as the world's largest shopping mall landlord.

Success or failure of the Stratford City development will therefore be weighing heavily on the minds of its managers.

As outlined on their website, Westfield claims to uphold the highest possible health and safety standards. This section, then, will be structured according to these principles, and will investigate the extent to which Westfield and its various subcontractors have lived up to their promises.

It is important to note here that, while Westfield remains responsible for health and safety of the overall project, the widespread subcontracting endemic of the construction industry means that there are many other companies involved in the project. The subcontracting system allows companies to shirk responsibilities and obligations to workers and communities affected. As this report goes on, it becomes clear how subcontracting is a major factor affecting conditions on the site.

Promise 1: “Target effort where it can do the most good in terms of health, safety and the environment (HS&E) by the early identification of risks at the design and planning stages so they can be eliminated or reduced.”

The planning of the jobsite at Stratford City is clearly a complex undertaking due to its size. Yet it is no larger than many of Westfield’s other developments. Thus, Westfield should be more than able to properly plan the Olympic site. Workers have made a number of references to the poor planning and regular absence of walkways and thoroughfares on the site. This was detailed in our earlier report. In general, following a number of accidents caused by poor site planning and unsafe walkways there has been an improvement. It is testament to the neglect of management that it took multiple accidents for this to happen.

In the sector controlled by PC Harrington there are still major problems with access and egress to work areas for groundwork. There are still obstructed walkways, unsecured ladders and work platforms, numerous fall-through points, and unprotected trenches. In general walkways, ladders, work platforms and trenches remain unsafe and expose workers to serious risk. There is still poor planning as there is a lack of direct pathways to work areas. This part of the site will see more accidents unless there is a major improvement and compliance with health and safety standards and construction regulations. It is hard to believe that on a major site for the Olympic Games that such basic breaches of health and safety standards are tolerated by Westfield and the ODA.

Promise 2: “Ensure accountability for operational performance throughout the management team.”

Linked to problems with planning, the major companies’ acceptance of responsibility for health and safety management is also poor. The ODA has made great efforts to emphasise their low accident rates, but these rates are based on the number of accidents that are reported. Workers on the site have experienced accidents going unreported by site management, despite workers’ insistence that this be done.

By refusing to report some accidents, management are able to maintain credibility with the ODA, while ensuring that their workers are as productive as possible, before being discarded when they can no longer work. If no accident is reported, then they often have no legal reason to allow that worker time off to recover.

Unfortunately, due to management control of accident report books, it is hard to concretely confirm the number of accidents reported by workers and then covered up by management. However, workers have noted that minor accidents such as cuts and muscular injuries are regularly omitted from the report books.

These problems have not improved in recent months since the earlier report published by the IWW. In one recent example, a worker was injured in the Olympic Village site and sprained the tendons in his leg. He was told by his employer to come into work and sit in the canteen in order that 'the absence would not be reported'. He refused.

On the Westfield Stratford City site a worker employed by PC Harrington injured his back lifting. He had poor English language skills and did not understand his rights. He reported the injury and was forced to work the rest of the day and the next day instead of receiving treatment, resulting in an aggravation of the original injury.

Promise 3: "Ensure that sufficient resources are provided to eliminate or reduce risks."

Workers on the site note that there is a widespread lack of resources for ensuring that workers are safe at work. A number of workers have been seen with insufficient personal protective equipment (PPE), including some of the most basic pieces of equipment. In some work that requires extra PPE, such as cutting, grinding and digging, workers have been allowed to work without dust masks, high-impact goggles and other essential protective equipment. Furthermore, many workers often must carry weights over the legal limit without the appropriate lifting equipment.

These problems are made worse by the proliferation of small companies on the site. In the sector controlled by PC Harrington, many workers employed by smaller companies are not provided with any PPE. Workers are not being rotated and are working long hours when working with pneumatic drills, placing them at serious risk of vibration injuries.

Amenities on the site have also worsened. For building workers the standard of amenities is central to being able to work in a dirty and difficult environment with dignity. Clean toilets, hot water and washing facilities are the hallmark of well-organised construction sites. They are also historically the focus of campaigns by construction unions around the world. It is shameful that UCATT does not appear to feel the need to challenge site bosses over this issue.

Since our earlier report, Westfield has closed all the temporary toilets on the Stratford City site. This was done as a cost-saving measure. Even when the toilets were available they were filthy, had no toilet paper and no hot water. Now workers have to walk for 20 minutes to use a toilet in the canteen. The same is true for drying rooms for wet clothes. Workers are harassed by supervisors for taking toilet breaks. In the cold weather this winter, the lack and reduction of amenities represents an insult to the dignity of all workers on the site. Workers are forced to work all day in wet clothes.

It is clear to see that resulting from the widespread lack of resources and facilities provided, the major companies involved in running the site are systematically overlooking major elements of the health, safety and welfare of their workers.

Promise 4: “Ensure lessons are learnt and continual improvement is implemented [and] listen to all views expressed on HS&E issues.”

With widespread failure to report injuries and accidents, and a disregard for some of the most basic PPE at the Stratford City site, without a doubt management is not interested in the process of continually improving H&S standards. Although some improvements have been made, subcontractors in particular regularly continue to avoid their responsibilities.

After the death of Shaun Scurry there was a temporary improvement around the site, but standards have reverted to their previous level given the lack of pressure, the almost non-existent media exposure of the accident and the general scandalous state of the site. If Westfield and the ODA want to live up to their PR spin, they may wish to look at the demonstrations outside Pudding Mill Lane, the death of a worker on their site, the cover up by their contractor PC Harrington of unsafe work areas and their cynical decision to close temporary toilets.

Promise 5: “Fully support all employees in the execution of their responsibilities and provide training to improve their competency in HS&E.”

Despite some modest training opportunities at the site, the problems outlined above continue to plague workers, putting them at serious risk. Rather than stemming from good management by Westfield and its sub-contractors, the reason more deaths and injuries have not taken place to date is down to the skills and intelligence of their workers. Clearly, then, without the full implementation of the first three promises made by Westfield, this principle and the previous one cannot be fulfilled. As we have shown, the principles of safety that Westfield claims to abide by are regularly and systematically ignored in practice. In the final sections, we consider how workers can respond to challenging conditions at Stratford City, and throughout the construction industry.

organisation:

the limits of partnership

These findings raise a number of issues concerning the everyday management practices at the Westfield site at Stratford City. They bring us to question whether companies can develop better strategies for treating their workers properly, and what mechanisms can be put into place to ensure responsibility is taken by someone/some organisation for poor health and safety standards. Additionally, it is important that we also ask: what can construction workers do to ensure that no site is allowed to operate with such substandard health and safety practices?

A common answer to these problems is unionisation—organisation of the workers into a collective body to push for better conditions. Simple, isn't it? However, the experiences of workers at the Westfield Stratford City site show how true organisation can be undermined by employer harassment and the use of authorities such as the police.

The recognised union on the site, UCATT, has an office that workers can visit in order to raise grievances and ask for advice. While union safety officers are able to inspect the site, workers report that there is almost no union activity taking place. Aside from this office and posters in the canteen, the union presence tends to be passive, and the union acts as a 'go-between' to maintain co-operation between workers and bosses. The presence of non-elected UCATT stewards represents the worst of tame cat unionism.

In fact, it is often the case that the stewards are inadequately trained, with an obvious example being the failure of the UCATT steward at the Westfield site to investigate and take control of the situation involving a major accident as outlined in this report. Another problem is the proliferation of hand-picked and non-elected stewards who are placed from job to job with a clear understanding that they do not rock the boat when it comes to health and safety issues and industrial discontent. They obey the dictates of full-time paid officials to the detriment of workers' rights. This has been seen time and time again throughout the industry.

Without job control by the workers themselves, problems continue. Representatives from other unions such as Unite and the IWW are harassed and followed when attempting to come on site and speak with workers there. Furthermore, there are regular visits from the police who harass workers and intimidate them with police dogs. This takes place with full collusion from management and little or no opposition from union leadership.

Management continue to systematically ignore health and safety problems while harassing outside unionists, and police parade themselves and their attack dogs around the site as a display of strength and a warning to workers that they should not fight back. Combined with the partnership strategy employed by UCATT, this ensures that inactivity among the workers continues.

conclusions:

building worker-led collective organisation



Workers at the Stratford City development site have been subject to widespread and systematic health and safety failures. One death and many serious accidents are evidence of that. It is a testament to the skill and awareness of the workers onsite that more injuries and deaths have not taken place. However, the ultimate responsibility to correct these failures lies with Westfield and the various subcontracting firms to whom they outsource their work.

Their continuing failure to do so, combined with ongoing harassment of union members and submissive UCATT representatives, has further entrenched the inactivity of the workforce with regards to taking up these concerns. In concluding this report, we attempt to give solutions to these problems that, from a workers' perspective, can enable workers to secure safer workplaces and build power and respect for construction workers everywhere.

As we have outlined, union officials are failing to win these changes on workers' behalf. We contend that it is precisely because they are trying to do it *on their behalf* that they are failing. A healthy and growing union is one where power resides entirely among the workers and where elected representatives encourage and facilitate that collective power.

The lack of rank-and-file control among construction workers' unions is deeply embedded, and we do not pretend that this it will be easy to change such widespread trends. However, while the IWW is smaller than the other unions in the construction sector, we believe that the IWW has the right idea to help construction workers win a better working life, precisely because of the union's focus on building

workers' power directly on the job site.

Part of the problem is the way in which the trade unions are organised. Rather than being led and run by the rank-and-file membership, most unions employ strata of full-time officials who conduct much of the union affairs for the workers, cutting many workers out of the loop. A union that truly wants to build workers' power is one that is organised at the grassroots, with elected, and accountable stewards.

Another problem is that of the partnership model. When there is a close relationship between union officials and management, there is a real danger of that relationship dominating how union business is conducted. We argue that the workers themselves should negotiate the conditions of their worksite with training and support from the rest of the union, both because they retain a critical distance from management, and because they are the ones affected by collective agreements. History in this country has shown the failure of the partnership model. It is the sections of the union movement that are willing to fight and refuse to sell their membership out that have made gains since Thatcher and under the New Labour regime.

The failure of the partnership model is summed up by the failure of the New Labour government to repeal Thatcher's anti-trade union laws. These laws are designed to limit the effectiveness of trade unions and ensure that it is almost impossible to organise fighting unions that can win gains for all workers. In this situation, hard as it is to believe, many trade unions including Unite, UCATT and the GMB are still financially supporting the Labour Party and encouraging members to vote for them. At the same time they have done nothing to force the government to repeal these anti-trade union laws.

Finally, and perhaps most crucially, is the relationship between the workers and employers. One of the pitfalls of a partnership approach to unionism is the way in which the different interests of the workers and employers are ignored. While there is a very small association between higher profits and higher wages, in most cases the two are not nearly as linked as business tries to make us think.

Even on sites like Stratford City, employers cut costs – in this case, on health and safety provision – but anywhere and everywhere other than their profit margins. In essence, while workers want good wages, safe workplaces and appropriate breaks, employers will try to enforce low wages, short breaks or poor safety standards in order to maintain their profits.

If these fundamentally opposing interests are covered up by the pretence of partnership, workers will expect less and act less to protect what they already have. Especially in the construction sector, which in many respects is the front line of the lethal effects of capitalism, there is a moral as well as a political obligation for unions to make these opposing interests visible.

A worker-controlled union would not attempt to act as a 'partner' with employers, and would seek to minimise the chances of an unaccountable cadre of officials and submissive stewards developing. This would be a major step towards ensuring that workers' interests were protected and promoted.

The experiences of construction workers at Stratford City have shown the dangers of allowing management to unconditionally dominate a workplace. It is fundamentally important to the wellbeing of construction workers and the construction industry that this domination does not continue on any worksite. Despite the well-meaning efforts of established trade unions seeking to maintain industrial peace at all costs, these conditions have continued for too long.

Tessa Jowell MP—Minister for the Cabinet Office, the Olympics and London and Paymaster General—recently said in parliament (quoting Alan Ritchie the General Secretary of UCATT), "The Olympic site is the safest and best regulated in the country". We will leave you to form your own judgment on this. In response, we propose the following:

Workers' control of unions and worksites: workers should be calling the shots in the union sheds and the workplace, across the industry.

Comprehensive health and safety: according to workers' needs, not what employers think they can get away with. Sites to be closed following any death or serious injury.

Unity: if one crew on a site is having trouble, it is the concern of all workers on that site that the problem is rectified to their satisfaction. If one site is on strike, it is the concern of all workers on all sites to ensure they win that strike. This is the only way that workers can win their demands.

Direct action: if negotiation does not succeed, then workers should consider taking matters into their own hands with or without support from their union leadership. It has worked before, and it will work again. In fact, the gains made in the past in the industry were won with direct action.

Industrial organisation: construction workers need to continue to work across trade and job divisions, and break down national divides. We need to unite against our real enemies—the bosses—not our fellow workers who happen to be citizens of other countries or skilled in different trades.

In proposing these actions, we recognise that they may appear quite optimistic, especially in the current recession. However, as economic problems continue, construction workers need to organise more than ever if they are to prevent businesses from using the recession as an excuse to force redundancies and cuts in pay and conditions. After all, we are the ones who create their profits. It is the duty of all construction workers to themselves, their workmates, families, and future generations of construction workers to ensure that they begin to change the tide in the industry and build a new way of working and organising in the shell of the old.

