Britain: Militant construction workers blacklisted and denied employment

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Its existence was hotly denied by the British construction industry, but the government has discovered conclusive evidence of a construction industry employee blacklist. A database containing the names of over 3,000 construction trade workers was allegedly accessed by large corporations in order to deny socialist and militant workers work on building sites.

On raiding the premises of the Consulting Association, officials found a substantial database stretching back over 30 years. The Consulting Association is a one-man operation, run by former Special Branch officer Ian Kerr.

According to documents seized by the Information Commission, Kerr recently billed Sir Robert McAlpine building corporation for services rendered for a total of £26,841. The construction contractor responsible for the building of the 2012 Olympic Games stadium in north-east London paid Kerr's organisation £5,951 between April and June 2008. McAlpine's began recruiting for the Olympic contract in April 2008.

The government's Information Commissioner Richard Thomas began the investigation into the alleged existance of a blacklist only after an article appeared in the *Guardian* last year. Thomas believes Kerr has spent the last 15 years compiling and maintaining the database on UK workers.

It is believed that companies paid an annual subscription of £3,000 to Kerr, and then a fixed fee for each name they wanted investigated. It appears the subscription paying companies would send Kerr information about workers who stood up to management so Kerr could pool the information for future dissemination.

Deputy Information Commissioner David Smith told the press, "On raiding Mr. Kerr's business premises we discovered an extensive operation involving household names in the construction industry. This is a serious breach of the Data Protection Act. Not only was personal information held on individuals without their knowledge or consent but the very existance of the database was repeatedly denied".

The Information Commission is set to proscecute Kerr, whom it accuses of selling information to construction companies. It is alleged that more than 40 companies paid an annual subscription in order to access the database to vet for socialist and militant construction workers. A spokesperson for the Information Commision told the *Financial Times*, "We are minded to serve Enforcement Notices on the companies saying they should stop paying for people's personal information".

Firms including major names like Balfour Beatty, Laing O'Rouke and Sir Robert McAlpine are alleged to have bought personal details. On the strength of these reports workers have been denied employment because they stood up for their own and other workers' rights in a notoriously corrupt and casualised industry.

The reports compiled by Kerr reads like a hit list. Workers are denounced in terms that leave prospective employers in little doubt. Comments on the database about workers include the following: "ex shop steward", "communist party", "orchestrated strike action", "Do not touch!", "Caused IR problems on that site (lazy and trouble stirrer)", "EEPTU (sic) says no!!", "UCATT very bad news", "Poor time keeper wll cause trouble strong TU".

There are also the following instructions: "Do not divulge any of the above", "applied to...via agency for...project. Main contact given details. Response to agency—'not required' Agency will say—'job now filled' as their response to above".

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The EETPU is a now defunct and a component part of the Manufacturing, Science and Finance union. It was notoriously right-wing and anti-communist. Its entry suggests at the very least that its views on a worker chimed with those of Kerr.

The Labour government must ultimately take the blame for the existence of the blacklist. In 1999 the government did a U-turn over the banning of such employer blacklists when they argued that the lack of proof concerning the existence of blacklists meant "there was no hard evidence that blacklisting was occurring".

When asked by the press for his reaction Kerr remarked, "There was nothing sinister about it. It was bona fide". The ex-Special Branch officer was less forthcoming when the *Guardian* asked him about an article it printed some 15 years ago, which alleged he was working at the time for the Economic League, an avowdly anti-socialist organisation.

The Economic League was established by rich businessmen who wished to suppress the class struggle. This employer spying agency built up files on tens of thousands of workers between 1919 and 1993. It folded when it came under pressure for holding incorrect information on workers, not for the more fundamenal issue of blacklisting.

Kerr ran his operation from a nondescript first floor office in Droitwich. When the *Guardian* asked in an ajoining shop about Kerr, the shop asistant remarked, "Oh yes, Ian. He has been here for years. We never really knew what he does—probably works for MI5 or something".

After the raid by the Information Commission on Kerr's office, most of the more than 40 different companies who used Kerr's services issued no comment statements. One or two said they had recently ended their subscription to Kerr or had bought up smaller companies that had subscriptions.

Last year Alan Wainwright, a former director with Balfour Beatty subsidiary Haden Young, produced a partial version of the list at an industrial tribunal. Wainwright said, "Mr. Kerr managed a small company which collated these lists from the construction companies and conducted relevant checks when so requested. Mr. Kerr explained that Carillion were one of the member companies, and I specifically recall him mentioning Bovis as another. Mr. Kerr informed me that the company functioned and was funded in the following way. Each member company would forward to him a list of prospective employees or agency labour workers they were considering to engage. Mr. Kerr would then check names against the lists he had collated from the other member companies. Mr. Kerr reported back verbally any operatives that were not to be employed or supplied by agencies".

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