

“The CWU Executive led by Ward and Furey has betrayed each of you:” A victimised rep at Royal Mail speaks on Falconer Review

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The *World Socialist Web Site* (WSWS) is publishing an appeal to the rank-and-file from a victimised Communication Workers Union rep in response to its article exposing the rigged outcome of the Falconer Review into the cases of mass victimisation during the year long dispute at Royal Mail.

CWU leaders Dave Ward and Andy Furey claimed in a statement on November 10 that the “independent review” had delivered “justice”. The terms of Collective Agreement between the CWU and Royal Mail refute this lie.

Only 21 dismissals have been overturned by the direct ruling of Lord Falconer, out of 26 selected “priority cases.” This is a fraction of the CWU reps and members framed up in the largest mass victimisation operation mounted against workers since the 1984-5 miners’ strike. Only 230 cases were referred to the review out of a reported 400 dismissals and suspensions. The CWU does not bother to explain, let alone challenge the three dismissals upheld and two referred for further review by Falconer.

In the case of the 21, in addition to lost earnings an option of an additional financial settlement for leaving the company has been put forward of £25,000. But this is all tied to accepting an admission of guilt and denial of due process.

The original disciplinary charges are only commuted down and treated as “time expired”, with workers forced to forfeit the right to clear their name and expose management frame-up methods by signing a waiver on bringing Employment Tribunal claims.

The same terms are repeated in the Collective Agreement covering all 125 dismissals and 67 cases short of dismissal in which cases will not be heard individually. Royal Mail is fully exonerated and CWU reps and members treated as the guilty party.

The CWU held an online meeting with victimised reps on November 9, which has been described by those who attended as a “victory” party on the outcomes from the Falconer Review. None of the details of the Collective

Agreement were outlined. Once the surrender terms began to filter through the CWU were forced to hold another online meeting on November 17 in an attempt to silence opposition from victimised reps and members who were told it was time to “move on.” Ward did not provide any direct answers to questions over whether the CWU would support Employment Tribunal cases for those who refused to accept the ultimatums of the Collective Agreement or if the commuted and expired disciplinary charges remained on employment records.

Fellow Postal Workers and CWU members,

Over the past two years you have worked for a hostile employer in Royal Mail, in the most toxic environment you could have imagined and where you were subjected to the most barbaric working conditions and witnessed institutionalised bullying on a seismic scale.

Royal Mail, your employer, the global brand company of 500+ years (and maybe we have come to expect this since the UK Government sold off the crown jewels of industries) has left workers at the mercy of capitalist greedy shareholders. However, nothing prepared you for the recent dispute and the legacies that accompanied it and continue to leave scar tissue to every piece of fabric in Royal Mail and your daily lives.

How did the same union we put our faith in, supported during the dark days of the dispute, as we faced the wrath of rogue managers and unagreed changes, allow our colleagues to suffer more than they already have? Simple: Same as the rest of the rotten agreement surrendering pay, jobs and conditions, they capitulated and sacrificed the real strength within the union for their own gains, further punishing members and leaving them unrepresented.

I spoke with another of the suspended reps and he has advised me that he was not contacted by anyone from the independent review group with regards to his own case. He said that he has no idea who represented him or whether his

individual case was looked at, at all. The CWU capitulated again when Royal Mail advised them about their financial situation and were concerned at the ongoing costs of the Falconer Review. Royal Mail were allowed to dictate the terms of the investigation.

Those terms were that Lord Falconer would look at 26 cases, Royal Mail would choose 13 and the CWU choose 13 and following the review into the 26 that they would meet again. After approximately 5 weeks of the review, the outcome for Royal Mail was damning. And it was at that stage that Royal Mail stopped the process, unchallenged, and the groups involved negotiated a collective agreement.

Colleagues, how is a collective agreement fair to those who never had the opportunity to have their cases heard? Why not continue with the process and show the world what kind of company Royal Mail really are—and more important prove that their conduct and actions during the dispute was unlawful?

Let me quote some of the adjectives used by Dave Ward in long awaited outcome meeting; *“momentous”, “unprecedented”, “really good outcome”, “a great result for trade unions”, “in the spirit of reconciliation”, “many at Royal Mail will be shocked at this outcome”.*

Colleagues, having spoken to many members and suspended members let me be clear. The CWU Executive led by Ward and Furey have betrayed each of you, not just this time but for the past two years. Their strike policy was designed to make you believe that you were hurting Royal Mail, when in fact it was designed to be ineffective and hurt you in your pocket. Truth be told, they had no intention of hurting Royal Mail. They knew that you were working in toxic working conditions but stood back and allowed this to happen without intervention despite their numerous threats.

This outcome for all victimised members must be the biggest gut-wrenching betrayal in the history of trade unionism. Ward and the executive were aware that Royal Mail were breaking policy and procedural rules, and this was verified in the Lord Falconer outcome. Yet they continued to allow Royal Mail to control proceedings.

Today there are more than 400+ dismissed and suspended representatives and members out there, livelihoods destroyed, many in financial ruin, with many family issues as a result and many suffering stress. Colleagues, this was unnecessary, and the fault clearly lies at the door of this CWU. They had the support from members—indeed they had a 96% vote for further strike action—but chose not to use it.

Ask yourselves why? The CWU is defunct as a union, workers have got no protection, and this message needs to get out to the rank-and-file.”

The only “independence” the Falconer Review enjoyed

was from the CWU membership. It was the mechanism Ward and Furey used to overcome members’ insistence that there should be no ending the dispute without the unconditional reinstatement of all victimised workers.

As the Postal Workers Rank-and-File Committee (PWRFC) warned:

“The Falconer Review is the outcome of high-level state intervention. Former Trades Union Congress (TUC) General Secretary and retired ACAS Chair Sir Brendan Barber approached Falconer to head the review. Both are connected to the Blairite wing of the Labour Party, led today by Sir Keir Starmer.”

This conspiracy was hatched at the ACAS talks to suppress renewed strike action and draw up the rest of the surrender terms in the rotten agreement finally enforced in July and establishing a new benchmark of exploitation.

As the PWRFC pointed out, the CWU agreed that Lord Falconer would have sole discretion over the review. A trusted representative of the ruling class was placed in charge who, as a minister in the Blair Labour government, backed the illegal war against Iraq in 2003 and had previously advised the National Coal Board during the 1984-85 miners’ strike.

The Falconer Review and the rest of the pro-company agreement have embedded the union bureaucracy as an arm of the company. This must be defeated by a unified struggle of the rank-and-file against the regime of management intimidation and sweatshop conditions. Only through an independent fight against the union bureaucracy and management can the brutal restructuring agenda to extract further profits at the expense of postal workers and any public service be defeated.

?Attend the next Postal Workers Rank-and-File Committee meeting on Sunday, November 26 at 7 p.m.—register here.



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