

## **EPSU statement on Brexit**

Adopted on 9 November 2016

1. The people of the United Kingdom (UK) voted on 23 June 2016 to leave the European Union (EU). This decision affects working people, their families and communities in the UK, the EU and the broader Europe. EPSU argued for the UK to remain part of the EU. We believe that together we are stronger in defending and promoting our interests. Nevertheless, we respect the outcome of the referendum. EPSU stands in support of all European workers: we do not want working people, wherever they live, to pay the price of the UK's leave vote.
2. EPSU strongly condemns the racist and xenophobic attacks that have taken place in the UK since the referendum. We stand in solidarity with those facing such hatred and violence because we share the same workplaces and communities. We support the demand that the UK Government should guarantee the right of EU citizens to remain in the UK together with the right of UK citizens to remain in the EU. This must be part of any fair trade Treaty between the UK and the EU.
3. As public service unions we are fully aware of the problems Europe faces today. It lacks a firm social dimension and proposals for social action that improve living and working conditions. A first step should be the end of austerity policies and a change in direction. The European trade union movement has presented plans to do this with the "New Path For Growth". EPSU is committed to work with the ETUC to create a fairer and more equal society, to invest in quality jobs, good public services and real opportunities for young people. This is the European answer to the challenges of today and tomorrow.
4. The UK Government has now made several statements about Brexit. It has stated that it will invoke Article 50 of the EU Treaty by March 2017. It will introduce a "Great Repeal Bill" that should be an opportunity to scrutinise, amend, repeal or improve any aspect of EU law in the future. Together with our UK colleagues we will work to ensure that Brexit does not lead to the a progressive weakening of workers' rights. Therefore, any future trade Treaty between the UK and EU must include a commitment and a mechanism so that the UK does not fall behind the EU on improvements to employment rights.
5. With the ETUC we have proposed a Social Progress Protocol to the EU Treaty. This would confirm that fundamental workers' rights take precedence over the free movement of goods, services and capital. The mandates of both the EU and the UK government for the negotiation of a EU-UK fair trade Treaty should include commitments on workers rights', the EU Charter of Fundamental Rights and the European Social Charter of the Council of Europe.

6. A group of workers with specific concerns are those in Ireland. A majority of voters in Northern Ireland voted to stay in the EU. EPSU wants measures to be put in place to ensure that Brexit does not have negative consequences for the economies of either Northern Ireland or the Republic of Ireland. It is essential that the Treaty between the EU and the UK puts in place mechanisms to secure the progress made since the Good Friday peace agreement, including an open border, and that it continues to support the ongoing peace process.
7. The negotiating process is likely to start in Spring/Summer of 2017. The EU negotiators are: for the European Council former head of cabinet of EU president Van Rompuy, Didier Seeuws; for the EC former Commissioner Michel Barnier; and for the European Parliament (EP) former Belgian prime-minister and leader of the liberal party Guy Verhofstadt. The EP will have to give its assent to the final deal. EPSU will work with the UK unions to ensure that the interests of workers in the UK and the rest of the EU are both respected and met. And this needs to be confirmed beforehand. We will work to facilitate meetings and discussions with the negotiators. EPSU will play its role in the ETUC to promote and protect the interests of all workers. In fact EPSU wants these rights and interests to be centre stage in the negotiations. The EU and UK mandates need to be made public and the negotiations need to be transparent.
8. EPSU supports the demands of the UK unions that the negotiations cannot be left to the UK Conservative Party alone. A cross-party team should lead the negotiations. The governments of the devolved nations of Scotland, Wales and Northern Ireland should be represented, as should the trade union movement.
9. EPSU also represents the union (USF) that organises civil servants and other staff working in the EU institutions. As long as the UK is a member of the EU there are no consequences for these staff. Nonetheless, many UK citizens working in these institutions are concerned about their jobs. The pensions of retired EU civil servants from the UK risk no longer being funded when the UK stops paying into the EU budget. They and non-UK civil servants from the EU who have retired in the UK risk being doubly taxed on their pensions. This is not acceptable. The Treaty between the EU and UK should guarantee that the UK continues to contribute to the pensions of those retired workers. The UK's exit from the EU will impact on the funding of EU institutions and restructuring may be a consequence. EPSU will work with USF to support workers from the UK in the European institutions.
10. EPSU demands:
  - a. Clarity about the mandate: there is no room for any secrecy. In fact there is a clear need for democratic control in the EU as well as in the UK over both the contents of the mandates and the actual negotiations. This requires real information and consultation during the negotiations and the full involvement of trade unions in the process of the negotiations;
  - b. An impact assessment of the final Treaty with particular attention on:
    - i. Employment;
    - ii. Pay, working conditions and health and safety;
    - iii. Equality between women and men;

- iv. The impact on income equality;
  - v. Workers' rights;
  - vi. Impact on public services;
- c. That this assessment should be accompanied by robust gender equality proofing of the final text;
  - d. No negative impact on the funding and quality of public services. The Treaty should be an opportunity to hold the claims of both the EU and the UK about ensuring that all people have access to health and other public services to account;
  - e. That public services be outside the scope of the agreement;
  - f. A 'positive list' approach to committing services (rather than a negative list approach) with no so-called standstill and ratchet clauses;
  - g. No special investor protection through ISDS (Investor State Dispute Settlement) or the ICS (Investor Court System) given that the EU and UK already have advanced domestic laws guaranteeing investor protection;
  - h. That the free movement of goods, services, capital and workers remains a cornerstone of the EU's Single Market. There can be no access to the Single Market if the right of EU workers to seek employment in the UK and vice-versa is no longer guaranteed and is restricted by controls such as work permits or assessments of skill shortages. Equal pay for equal work in the same work place regardless of nationality must be a core principle for the free movement of workers;
  - i. A mechanism in the Treaty that ensures that the UK's labour, consumer protection and environmental law continue to follow developments in the EU including the case law of the European Court of Justice after the UK leaves the EU;
  - j. No cooperation on domestic regulation that resembles the so-called "better regulation" approach;
  - k. That the final text must be submitted to a vote in both the European and UK parliaments.
11. EPSU renews its commitment to achieve more equality and high labour standards, decent pay and working and living conditions for Europe's workers. EPSU will fight to protect and improve employment rights for all workers across Europe. Europe's workers deserve a pay increase. Bargaining rights must be respected. We expect multinational companies to live up to the information and consultation rights granted to EU workers and to commit to these rights for their UK workforce as part of European Works Councils (EWCs).
12. EPSU will work with the ETUC, social movements and others for a more democratic and a different Europe that reflects the ambitions of Europe's working people. We stand for a Europe and a European Union in which peace and cooperation, sustainable growth in all countries, and human and social rights must be preserved. At this moment in which European cooperation and integration are threatened, we commit to work closer together, to fight social dumping and to pursue a Social Europe.