

PRESS RELEASE – 9 FEBRUARY 2021 – CLEANERS AND ALLIED INDEPENDENT WORKERS

Employment Tribunal: University of East London's outsourced cleaning company, Nviro, dismiss Union rep on grounds of insubordination amid Covid-19 pandemic after complaints of company failure to provide PPE.

PRESS RELEASE – FURTHER DETAILS

"The people at Nviro don't just clean for a living – they care deeply about providing safe, clean and hygienic environments in which our customers can thrive" (Nviro Limited Website, 2021)

On New Year's Eve 2020 Carlos Rodriguez, an essential worker/cleaner at the University of East London (UEL) and Cleaners and Allied Independent Workers Union (CAIWU) representative, received a dismissal letter from UEL's outsourced company Nviro Limited. The list of allegations includes: Insubordination; Breach of data protection; Breach of Mobile Phone Policy; Unprofessional Conduct; Making false allegations; Unauthorised access to company documents.

The timing of this particular season's greeting, somewhat ironically for Nviro, happened to coincide with Prime Minister Boris Johnson's New Year's Eve message: *"A year in which working people pulled the stops out to keep the country moving in the biggest crisis we have faced for generations - shopworkers, transport staff, pharmacists, emergency services, everyone, you name it."*

We'll Name It.

CAIWU assert that the smokescreen of allegations conjured up by Nviro have no justifiable basis and are directed at eradicating recent union activities at UEL. Carlos has worked at UEL in multiple roles for the past 22 years and as an essential worker/cleaner for their outsourced company Nviro for the past 7 years. In all this time, not a single recorded complaint has been made by his employers or co-workers. After becoming CAIWU union rep in November 2019, he listened to workers' concerns and began campaigning against UEL's reprehensible practice of outsourcing its essential workers/cleaners, calling on the university to bring cleaners in-house with the rights, protection and respect they deserve. Within weeks, allegations of workplace misconduct were levelled against Carlos and these were intensified with the onset of the Covid-19 pandemic as he set about recording instances of inadequate PPE provision, the unsafe handling of clinical waste and other life-threatening workplace conditions.

Carlos' dismissal will be considered by the East London Employment Tribunal later today after which we will learn whether this increasingly common and unacceptable victimisation of a union rep as "insubordinate" has been upheld; noting that allegations of "insubordination", "insolence", "aggression", and "defiance", as applied in English employment law take us back to the worlds of the 18th and 19th centuries both of slavery and factory labour.

Pinning the Tail on the Donkey

Since the pandemic began it's been a game of 'pinning the tail on the donkey' as a catalogue of spurious charges were levelled against Carlos. This, we contend, is more an insight into urgent attempts by a worker to document workplace malpractice, than any technical basis for dismissal. Leaving "insubordination" aside for the moment, the allegation of "Breach of data protection and unauthorised access to company documents" is instead, routine practice amongst workers to photograph timesheets as personal back-up to prove hours worked. "Unprofessional conduct" in this instance, is an entirely reasonable refusal to take on jobs outside contracted tasks, and "Making false allegations" is a case of questioning the questionable instructions of a superior.

These allegations have been levelled by a company that has failed in their duty to provide PPE for employees and compelled workers to handle clinical waste without adequate training. This is a company that alleges "insubordination" against those who raise the alarm, and had the audacity to conduct belligerent interrogations of workers' private lives. CAIWU regard this as a blatant case of victimisation, and would add that Nviro's supposed care for "safe, clean and hygienic environments" does not stretch to its own workers.

A Song and Dance

This ongoing victimisation by Nviro of Carlos Rodriguez has taken place under the very nose of UEL students, staff and management on its Docklands Campus. Furthermore, the Black and Brown composition of UEL's essential workers/cleaners must be well known to UEL's "knowledge community".

CAIWU are genuinely perplexed and saddened that an educational institution that has made such a courageous move, in consultation with its Black Academy, to remove the name and statue of slave trader, Sir John Cass, from its Newham Campus, cannot also attend to the actually existing racism of its outsourcing. The 'song and dance' of these notable symbolic acts by UEL has not escaped our attention and CAIWU would like to contrast this action with the incendiary vocabulary directed at those workers UEL have 'farmed out' to Nviro. Given that we, essential workers/cleaners are invisible to most and have not been afforded a voice, we respectfully defer to UEL academic staff, students, and alumni to assist us in exploring the etymology of "insubordination" and "insolence" in relation to workers' struggle and slavery – given that these are precisely the terms Nviro have used to dismiss an essential worker/cleaner and union rep in 2021.

As with our successful campaign against the British Medical Association last week which resulted in the reinstatement of 30 outsourced essential workers/cleaners, again we offer up a message from W.E.B. Du Bois:

"But alas! while sociologists gleefully count his bastards and his prostitutes, the very soul of the toiling, sweating black man is darkened by the shadow of vast despair. Men call the shadow prejudice...."

From the shadow of vast despair, prejudice, and rage, CAIWU demands that UEL acknowledge its responsibility to those who have been outsourced to maintain its buildings/facilities. We hold UEL directly accountable for the welfare of all its outsourced workers across the university, and compel UEL, as the client, to instruct Nviro to immediately desist from intimidating and victimising its essential workers/cleaners. Furthermore, CAIWU propose that UEL take this timely opportunity to do the right thing and cut ties with Nviro and bring all outsourced essential workers/cleaners in-house from July 31st 2021 when the outsourcing contract is up for renewal.

----END----