



The Scottish Parliament  
Pàrlamaid na h-Alba

**PUBLIC PETITION NO.**

**PE01780**

### **Name of petitioner**

Stewart Forrest on behalf of Usdaw

### **Petition title**

Consultation on the closure of large shops on New Year's Day

### **Petition summary**

Calling on the Scottish Parliament to urge the Scottish Government to launch a consultation on implementing legislation already in place to ban large shops from opening on New Year's Day.

### **Action taken to resolve issues of concern before submitting the petition**

Usdaw has previously written to James Hepburn, Minister for Business, Fair Work and Skills, asking that the Government launch a consultation on the issue.

The organisation has been advised that the Government does not intend to commission research into the impact of trading by large stores on New Year's Day.

### **Petition background information**

Section 2 of the Christmas Day and New Year's Day Trading (Scotland) Act 2007 allows Scottish Ministers, subject to consultation, to ban large shops, i.e. those over 280 square meters, from opening on New Year's Day by statutory instrument.

Usdaw therefore wants the Scottish Government to launch a consultation on this issue, with the intention of banning large shops from opening on New Year's Day.

On behalf of Scotland's retail workers, we urge the Scottish Parliament to take all possible steps to enact this legislation.

Usdaw represents 44,000 members across Scotland, mostly in the retail sector. One of the issues regularly raised by our members is the impact of working over Christmas and New Year. Following the last festive period, we surveyed 1,473 of our Scottish members on their experiences of working over New Year 2018/19, and the results were stark:

- 72% said that they or their colleagues come under pressure to work on New Year's Day or 2 January
- 48% of members said that working on New Year's Day was not voluntary in their store
- 79% said that they are not happy to work on New Year's Day or 2 January

- 39% received no premium pay for working on New Year's Day
- 99% of members agree that stores in Scotland should close on New Year's Day
- 76% said that working over New Year affected their ability to enjoy the holiday.
- 74% said they spend too little time with their loved ones over New Year.
- 47% were unable to spend time with family who live further away during the period.

The survey results show there is a strong feeling amongst Usdaw members that they are not getting the time off they need to enjoy New Year with their family and friends. New Year is a special holiday in Scotland, but unfortunately this is not reflected in the experience of retail workers.

Some of the comments we received from members are listed below:

*“Company claim working is voluntary however everyone is under pressure to work one or the other...no one wants to work during these times. I want to spend the time with my family. It's very stressful and depressing. And my children get upset when I have to work during these special events.”*

*“As there is no transport on New Year's Day I find it difficult to get to work as a taxi is double time and I only receive NMW with no added pay for this day.”*

*“Colleagues give up the opportunity to spend quality time with family and friends to work during the New Year period to open stores that are not busy. Stores should not open on the 1st or 2nd of January”*

*“The store tends to be very quiet. For example- this year when I worked New Year's Day I was required to clean the shop because there was no other duties to perform (stock replenishment, customers).”*

*“Working on New Year is a struggle. In retail you work long hours on the run up to Christmas Day then we usually only have Christmas Day off then back in work on Boxing Day then working over new year feels like you hardly get to see your family and loved ones. It makes you feel disheartened.”*

*“It should be respected as a Scottish Holiday to allow people to spend time with their families and switch off for at least one day.”*

*“New Year is a big holiday in Scotland and retail is taking our tradition away.”*

The quotes above clearly show that retail workers believe the significance of New Year's Day in Scotland should be respected. We know that our members want to be able to spend New Year's Day with loved ones, recovering from the busy run up to Christmas.

Udaw is aware that retailers feel under competitive pressure to open on New Year's Day as other retailers may or will be operating. This competitive pressure is typically not in the long-term commercial interest of retailers as consumers are unlikely to shop on New Year's Day. Our survey showed that 72% of members reported their store being fairly or very quiet on New Year's Day.

Therefore, we believe banning all large stores from opening on New Year's Day is in the best interests of retail workers and retail employers.

#### Unique web address

<https://www.parliament.scot/GettingInvolved/Petitions/newyearsday>

#### Related information for petition

Further information behind the campaign can be found on the Usdaw website at [www.usdaw.org.uk](http://www.usdaw.org.uk)

**Do you wish your petition to be hosted on the Parliament's website to collect signatures online?**

YES

**How many signatures have you collected so far?**

0

**Closing date for collecting signatures online**

23 / 01 / 2020

**Comments to stimulate online discussion**

79% of Usdaw members in Scotland say they are not happy to work on New Year's Day or 2 January. Do you agree they should be given a day off to spend time with their families over the festive period?

72% of Scottish Usdaw members report that their stores are fairly or very quiet on New Year's Day. Would you be happy for all large stores to be closed on this day?