

PE1780/B

Petitioner submission of 15 May 2020

Usdaw is disappointed with the Scottish Government's response to our petition and their belief that now is not the time to reconsider the current position on a consultation on New Year's Day trading. In 2019, Usdaw conducted a survey of Scottish shopworkers which showed that 98% of respondents believed that stores in Scotland should close on New Year's Day. Usdaw's campaign for New Year's Day closure has gained increasing public support and was raised in the Scottish Parliament on 8 January 2020. In response to a question from Jackie Baillie MSP, the First Minister, Nicola Sturgeon stated, "Shopworkers deserve a festive break such as the rest of us get the benefit of."

The increasing calls for New Year's Day closures and recognition that shopworkers deserve a festive break, clearly show that it is time to review the 2007 Christmas Day and New Year's Day Trading (Scotland) Act.

We welcome the commitment from the Scottish Government to develop a Retail Strategy, and to involving trade unions as part of the process. However, we do not believe that stopping trading for large shops on New Year's Day is a block to that strategy in any way. The retail sector crisis has been caused by a range of economic issues and a failure to properly address productivity issues. Any Retail Strategy needs to cover fundamental issues affecting the sector and deliver a new economic framework to support and develop the sector, including:

- a comprehensive review of rents within the sector,
- a review/freeze on business rates for two years,
- a reform of tax laws to ensure a more level playing field between online and bricks-and-mortar retailers e.g. online transaction tax
- a review of town/city centre parking charges and other initiatives to improve town centre footfall.

These fundamental issues require a comprehensive response focusing on measures which can resolve economic issues, place retail at the heart of communities, drive up terms and conditions for workers across the sector and ensure that the incredible work of shop staff is properly recognised.

It is not reasonable to suggest that a decision over trading on a single day that affects just 2.2% of retail enterprises would have any impact on the major effort that is needed to address the deep-seated issues affecting the retail sector as a whole.

The COVID-19 pandemic was given as one of the reasons why the Scottish Government does not consider it the appropriate time to review the current position on New Year's Day trading. Usdaw is clear that the Coronavirus crisis has caused a huge shock across society and that, once we are past the crisis, things should not be allowed to return to normal. Throughout the crisis, the country has been reliant on the contributions of shop workers to ensure that the nation remains fed.

Tesco UK CEO Jason Tarry said that shop workers “have stepped up and responded, doing an outstanding job during this uncertain and difficult time. Their dedication and commitment has been extraordinary.”

Our members, who are frequently paid rates close to the National Minimum Wage, have faced increased risk by working throughout the pandemic to provide the vital goods families need. They have also faced increased levels of abuse.

Usdaw has surveyed 753 shopworkers across Scotland since the start of the start of the Coronavirus outbreak. These figures show that nearly 60% have suffered verbal abuse in the workplace since the start of the COVID 19 pandemic, with more than 1 in 10 being abused on every shift they have worked.

It is now time to recognise the extraordinary efforts of retail workers throughout the crisis and ensure they have time to rest and enjoy time with their families. Following representations from Usdaw, Poundland has already agreed to close all of their stores on Boxing Day 2020 and New Year’s Day 2021 to ensure that these staff can have sufficient time to spend with their families over the festive period. We are calling on the Scottish Government and Scottish Parliament to ensure that workers across the sector are given the same opportunity.

The impact of Brexit on the retail sector is given as a further reason for not reconsidering the current position on New Year’s Day trading. Usdaw entirely disagrees with this approach. Whilst Brexit is likely to have significant effects on the Scottish economy, it has always been made clear that working people should not pay the price of any negative impact of Brexit.

In citing Brexit, the Scottish Government refers to potential impacts on the availability and affordability of products in light of possible tariffs which could be introduced at the end of the transition period. The truth is that, with the global nature of trade, global tariffs could be introduced at any point in time. Following our likely full departure from the EU customs union, the potential for tariffs with EU trading partners will potentially be ever present, as such it is a fact of Brexit that the potential for trade tariffs will possibly become the new normal. Therefore, we need to learn to adapt to this new normal, being prepared to make the right decisions for the people of Scotland rather than looking to hold up any and all future legislative proposals.

The Scottish Government also cites figures for the number EU workers engaged in retail restaurants and food manufacturing companies. It is unclear where the Government got this figure from to be able to verify it, or compare it to the total number of workers across these sectors. However, with the inclusion of restaurants and food manufacturing workers, a significant proportion, a most likely a majority, of these workers will be entirely unaffected by the proposal. Therefore, we believe that the figure should be disregarded.

Irrespective of the validity of the figures, the labour market across Scotland has always been competitive as workers have had the freedom to move to jobs across the rest of the UK and the EU. To ensure that Scotland remains a desirable location for workers, the Scottish Government must ensure that the labour market remains attractive to all workers. At the moment, Scotland, along with the rest of the UK, falls significantly

behind many EU countries in terms of the number of Bank Holidays across the year. Scotland also does not apply the same Sunday Trading Restrictions as those in place across the rest of the UK. The proposal to close large shops would go some way towards mitigating the work/life balance issues faced by shopworkers in Scotland.

Furthermore, it should not be forgotten that nearly all retail staff will understand the cultural importance of New Year celebrations in Scotland and should be able to fully participate in the celebrations. 76% of Usdaw members have reported that working over New Year affects their ability to enjoy the holiday with 74% saying that they spend too little time with family over the period.

It is clear that these issues require a swift response. We cannot wait for years to assess the full impact of Brexit on the economy. In terms of New Year's Day trading, trade barriers are not an issue and the EU National workers figure which has been cited is mostly irrelevant. We appreciate that Brexit will have an impact on the retail sector as it will have an impact on the rest of the Scottish economy, but the majority of workers in other sectors already have a day off on New Year's Day. The same should apply to our members who, throughout the COVID-19 pandemic, have proven that they go the extra mile when required. Comments on the petition on the Scottish Parliament's website confirm that this is backed by the public.