

<b>Institution:</b>	University of Northumbria at Newcastle
<b>Unit of Assessment:</b>	17 - Geography, Environmental Studies and Archaeology
<b>Title of case study:</b>	The Impact of Polish migrant worker research on policy and practice
<p><b>1. Summary of the impact</b></p> <p>This research into the experiences of Polish and European migrant workers has enabled impact in four main areas: i) Through contributing to the organisational strategic decision-making of the Trade Union Congress (TUC), helping Polish workers in the UK; ii) By enabling the Polish Trade Union NSZZ Solidarność to collaborate more closely with major UK unions, such as GMB, TUC and Unison, and contribute more effectively to joint trade union strategies to represent migrant workers in the UK; iii) By influencing policy at European, national and regional levels, for example contributing to the posted workers draft enforcement Directive; and iv) By supporting individual Polish workers to access training, support and legal advice, helping workers integrate more effectively into their local community.</p>	
<p><b>2. Underpinning research</b></p> <p>Ian Fitzgerald has undertaken eight years of research into the scope, context (including the legislative, regulatory and economic contexts) and experiences of Polish and European migrant workers, their employers and their representatives, which has produced over 50 peer-reviewed, invited contributions and practitioner outputs. The body of work began in 2005 when Fitzgerald was employed as an Independent Researcher in the Sustainable Cities Research Institute (SCRI) at Northumbria University which was incorporated into the Department of Geography in 2010.</p> <p>This research has shown how two major European Union policy decisions: <b>1)</b> The 2004 accession of the Central and Eastern European countries – A8; and <b>2)</b> The Posting of Workers Directive (PWD), have had dramatic effects on the UK labour market.</p> <p>Fitzgerald's research into the area of the Polish accession and the trade union response began with a series of four Trade Union Congress (TUC) action research projects [3.7]. These generated new knowledge on the poor working conditions and difficult employment relationships of Polish migrant workers. Polish workers were found to be underpaid, had illegal employment contracts, poor housing conditions and some had experienced violent employers. A major finding has also been that the internet is an increasingly systematic feature of new migrant politics and representation, including how Polish workers have obtained information on, and accessed, local UK labour markets [3.4, 3.7]. Research was also carried out for the regional development agency One NorthEast. This identified the prevalence of A8 migrant workers in the North East region [3.7, 3.8]. It also provided evidence of the entrepreneurial nature of A8 workers.</p> <p>The TUC projects led to two ESRC projects [3.9, 3.10], the first of which in 2007-2008 investigated cross-border trade union collaboration between the UK and Poland. Knowledge generated from this work included the extent to which UK unions have been inclusive in their approach to Polish migrant workers, although UK and Polish trade unions have struggled to maintain effective long term collaborations.</p> <p>As a development of this area of work in 2009 and 2011 Fitzgerald was invited to undertake and lead two European Commission funded pieces of UK expert research. The first investigated the implications of the Posting of Workers Directive (PWD) in a UK context for the European Federation of Building and Woodworkers (EFBWW), which has 72 affiliated organisations from 31 countries [3.3, 3.11]. Here, new knowledge was generated for the EFBWW with regard to the functioning of the Gangmasters Licensing Authority which has successfully worked cross-border with regard to abused posted workers. Overall though, research indicated no direct enforcement of the Directive in the UK and that little was known about the conditions of posted workers, apart from in Engineering construction where there is a robust collective agreement. The second piece of work for the European Commission was also concerned with the PWD and investigated the prevalence of UK employment rights in the sub-contract chain ([3.5, 3.12]. This work was part of a 28 country study and was one of four ex-post evaluation studies launched by the EU [3.1].</p>	

### 3. References to the research

#### Selected peer-reviewed publications:

- [3.1] **Fitzgerald, I.** and Hardy, J. (2010) 'Thinking Outside the Box? Trade Union Organising Strategies and Polish Migrant Workers in the United Kingdom', *British Journal of Industrial Relations*, Vol. 48 (1): 131-150 – Relates to ESRC (2007-2008) project. <http://nrl.northumbria.ac.uk/id/eprint/558>
- [3.2] Hardy, J. and **Fitzgerald, I.** (2010) 'Negotiating 'solidarity' and internationalism: the response of Polish trade unions to migration', *Industrial Relations Journal*, 41:4, 367–381, – Relates to ESRC (2007-2008) project. <http://dx.doi.org/10.1111/j.1468-2338.2010.00574.x>
- [3.3] **Fitzgerald, I.** (2010) 'UK Country report', Final UK national expert report for European Commission Project No. VS/2009/0475 'Improving best practices on the working and living conditions of posted workers' – Relates to EFBWW (2009) project. Copies can be made available on request.
- [3.4] **Fitzgerald, I.**, Hardy, J. and Martinez Lucio, M. (2012) 'The internet, employment and Polish migrant workers: Communication, activism and competition in the new organisational spaces', *New Technology Work and Employment*, Vol. 27 (2): 93-105 – Relates to Polish community engagement and access to local UK labour markets. <http://dx.doi.org/10.1111/j.1468-005X.2012.00279.x>
- [3.5] **Fitzgerald, I.**, Hudson, L. and Clarke, L. (2012) 'UK National Report,' Final UK national expert report for European Commission funded Project No. DG EMPL/B2 - VC/2011/0015 Study on the protection of workers' rights in subcontracting processes in the European Union – Relates to Ghent (2012) project. Copies can be made available on request.
- [3.6] Eldring, L., **Fitzgerald, I.** and Arnholtz, J. (2012) 'The accession migration into construction: a comparative analysis of trade union responses in Denmark, Norway and the UK', *European Journal of Industrial Relations*, Vol. 18 (1): 21-36 – Relates to Northern TUC (2006) project. <http://dx.doi.org/10.1177/0959680111430656>

#### Examples of research grants consolidating this theme:

- [3.7] **Fitzgerald** was PI on four grants funded by TUC between 2005 and 2008, with a total value of £13,800. These grants funded a range of research projects on migrant workers in the North East of England.
- [3.8] **Fitzgerald** was PI on two grants funded by One NorthEast (regional development agency) in 2007 and 2008, with a total value of £2,800. These grants funded an analysis of the North East worker registration scheme data.
- [3.9] 'Cross border trade union collaboration and Polish migrant workers in Britain' (2007), funded by ESRC (RES-000-22-2034). **Fitzgerald** was named researcher. PI: Professor Jane Hardy (University of Hertfordshire), £78,767.
- [3.10] 'The impact of migrant workers on the functioning of labour markets and industrial relations' (2009), funded by ESRC (RES-451-26-0779). **Fitzgerald** was Co-I. PI: Steve French (Keele University), £16,960.
- [3.11] 'Improving best practices on the working and living conditions of posted workers, 12 country study' (2009) funded by European Commission (VS/2009/0475). **Fitzgerald** was UK expert. Coordinator: EFBWW, €100,000.
- [3.12] 'Study on the protection of workers' rights in subcontracting processes in the European Union, 28 country study' (2012) funded by European Commission (DG EMPL/B2-VC/2011/0015). **Fitzgerald** led UK expert team. Coordinator: Ghent University, €420,000.

### 4. Details of the impact

The research has had an impact in four main areas. First, in organisational strategic decision-making; second, with regard to supporting organisational fund raising; third, through engagement with policy at European, national, and regional levels; and fourth, in support of individuals.

#### Organisational strategic decision making

The action research projects provided a foundation for changes in three main organisations.

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Regionally, Fitzgerald provided: *"...a major contributory factor to the Northern TUC strategic decision to appoint an organising academy employee in the region"*. This led to the employment of a Polish recruitment officer, focusing on workplaces with a contingent of Polish workers. This decision: *"...not only helped the TUC engagement with workers in this area but also led to greater direct engagement by individual trade unions in this key area of workplace relations"*. Wider impact was achieved through providing evidence for setting up Newcastle City Council community informational hubs [Corrob. 5.2].

This led to contact with the Polish trade union NSZZ Solidarność and the provision of advice and information to support the union's international strategy, enabling it to collaborate more closely with major UK unions, such as GMB, TUC and Unison. This allowed NSZZ Solidarność to contribute more effectively to joint trade union strategies to organise and represent migrant workers in the UK. Although impact started in 2007 it continued as it supported later strategy development in 2008. As the International Secretary of NSZZ Solidarność states: *"...much of our involvement and success in this area was courtesy of your (Fitzgerald's) vast knowledge, openness and will to share and help."* [Corrob. 5.1].

### Supporting organisational fund raising

The TUC action research assisted in securing new funds for Northern TUC by supplying the first evidence-based research which was then used to secure funding from the Regional Development Agency for the employment of a key worker to support trade union organising strategies. Alongside this the research supported a successful application for additional funding from the Learning and Skills Council to focus provision on English for Speakers of Other Languages [Corrob. 5.2].

### Influence on policy at European, national and regional levels

The European projects led by Fitzgerald have impacted on the European Federation of Builders and Woodworkers (EFBWW) policy with regard to proposed changes to the Posting of Workers Directive, which balances freedom of businesses to provide services with rights of workers who are temporarily posted abroad. Specifically, it has supported policy formation for the Action Programme for 2012-2015 and political demands contained in the Palermo Manifesto (<http://www.efbww.org/default.asp?index=826&Language=EN>) and enabled more effective lobby of the EC and European Parliament on behalf of its affiliates with issues relating to migrant workers in the construction industry [Corrob. 5.4]. Research undertaken by Fitzgerald and others [3.5] as part of the 28 country study noted in section 1 informed the European Commission draft enforcement Directive for the Posting of Workers Directive [Corrob. 5.4, 5.5].

The TUC regional and national projects also impacted on the TUC nationally assisting with their broad approach with regard to A8 migration issues and enabling the TUC to develop their relationship with the Polish trade union NSZZ Solidarność. This supported the development of practical strategies to organise and represent migrant workers with the formation of policy in two key programme areas. Firstly, policy with regard to organising and recruiting workers from the A8 countries at a workplace level and secondly, external to the workplace their approaches to community organising and recruitment.

Regionally the research has influenced policy at the North East Migration Steering Group. The research led the Steering group to the view that: *"...highly skilled individuals from Eastern Europe... (could) ...make a significant contribution to the growth of the (North East) region's economy. To that end, the Group..."* launched promotional websites in Poland and other Eastern European Countries following work undertaken between 2006-2008 [Corrob. 5.7].

### Support of individuals

The findings of Fitzgerald's research showed that Polish workers were often subject to poor working conditions and experienced difficult employment relationships. In order to improve this situation it was critical for workers to be aware of and understand their rights as employees in the UK. Working with Irwin Mitchell solicitors, Fitzgerald co-designed and delivered a keynote lecture at two events in Newcastle (28 February 2008) and Leeds (26 June 2008) which launched their advice and legal help available to Polish workers who have suffered injuries at work. These events were attended by businesses, senior managers from public sector agencies and those who had contact with new Polish workers [Corrob. 5.6].

As a result of Fitzgerald's work on economic migration, in 2012 he was asked by Irwin Mitchell

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solicitors to be an expert in a successful court case where a client had catastrophic brain damage. The issue in the case related to whether the individual would have remained in the UK or returned to Lithuania had the accident not occurred. This affected the level of compensation received by the client. The Partner responsible for the case stated that Fitzgerald's research report: "*provided an evidential basis...this evidence would not have been available from any other source.*" [**Corrob. 5.3**].

The action research led to early support for a charitable Polish Association, Pegaz. Fitzgerald was invited to become Patron and impact here has facilitated integration of new Polish residents into the local community and governance structures. For example, at his own institution he facilitated the provision of University rooms and IT facilities for a two-day electrical training course supplied by a Polish business Wilmowski Training (22/10/11 and 05/11/11) in collaboration with Pegaz. Here, Polish language electricians gained City and Guilds qualifications which allowed them to work as electricians in the UK [**Corrob. 5.8**].

**5. Sources to corroborate the impact**

**The following key users and beneficiaries can provide corroboration of the impact claims in the case study:**

- [5.1] International Secretary – NSZZ Solidarność.  
<http://www.solidarnosc.org.pl/en/main-page.html>
- [5.2] Assistant General Secretary, TUC.
- [5.3] Partner, Irwin Mitchell Solicitors.
- [5.4] General Secretary, European Federation of Building and Woodworkers.  
<http://www.efbww.org/default.asp?Language=EN>

**References:**

- [5.5] EC (2012) Directive on the Enforcement of Directive 96/71/EC concerning the posting of workers in the framework of the provision of services, COM(2012) 131 final 2012/0061 (COD) (21.3.2012), pages 9, 19 and 46.  
<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2012:0131:FIN:EN:PDF>
- [5.6] Advertisement for the events providing advice and legal help that was available to Polish workers who have suffered injuries at work. Copies made available on request.
- [5.7] Letter from former Head of North East Regional Information Partnership, corroborating the impact on the North East Migration Steering Group.
- [5.8] Pegaz (Polish Association website) corroborates claims around training and integration of Polish community members: <http://pegaz.org.uk/970-o-naszej-organizacji/article/1571-ian-fitzgerald-patron-organizacji>