

Monday 9th May 2016

## GMB Win £5.4m Against Blacklisters

### Blacklisted GMB Workers Win £5.4 Million Against Construction Companies

**Preventing 3,213 workers earning a living to support their families was a gross injustice and government and employers' organisations must never forget this sordid episode says GMB.**

GMB settled its claim against the construction industry for a total of £5.4m plus millions in legal costs with some members receiving up to £200,000, the union can announce. An agreement was reached on Friday 29th April 2016 but the details of the compensation could not be revealed until all claimants' cases had been resolved.

The 116 blacklisted GMB members also received a full apology from the companies involved and legal costs amounting to almost £3m were reclaimed from the companies in full.

Blacklisting came to light when in 2009 the ICO seized a Consulting Association database of 3,213 construction workers and environmental activists used by 44 companies to vet new recruits and keep out of employment trade union and health and safety activists.

GMB understand the total value of settlements for GMB, UCATT, GCR and Unite members is around £75m for 771 claimants including legal costs on both sides estimated at £25m. An unknown number of people, who in the face of continuing denial and obstruction from the companies, chose to take the much lower sums offered in their inferior compensation scheme.

Analysis of the figures show that the areas with the largest settlements for blacklisted workers were Humberside, £420,000 (10 workers), Greenock in Inverclyde with £405,000 (6 workers), London with £240,000 (9 workers) and Merseyside with £225,000 (2 workers). (See notes to editors for a full area breakdown).

The regional figures, shown in the table below, show Scotland has the highest settlement figure of £1,665,000 (32 workers) followed by the North West, £650,000 (13 workers) and Yorkshire & The Humber, £630,000 (17 workers).

Region	blacklisted workers	settlement
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Scotland	31	£1,665,000
North West	13	£650,000
Yorkshire and the Humber	17	£630,000
South East	13	£590,000
Eastern	7	£360,000
London	9	£240,000
West Midlands	2	£225,000
South West	4	£215,000
Republic of Ireland	5	£200,000
North East	5	£150,000
Wales	2	£120,000
East Midlands	4	£115,000
Overseas	2	£115,000
Northern Ireland	2	£65,000
<b>Total</b>	<b>116</b>	<b>£5,340,000</b>

The claims were brought against Carillion, Balfour Beatty, Costain, Kier, Laing O'Rourke, Sir Robert McAlpine, Skanska UK and VINCI and concerned thirty years of blacklisting activities by them, the Economic League and the Consulting Association.

To the bitter end this litigation faced numerous obstacles, from both the defendants and incompetence from the Information Commissioners Office, who consistently failed to supply all the relevant information they held.

Tim Roache, GMB General Secretary said: **“We have secured £5.4m of justice for the GMB members blacklisted by powerful construction companies who thought they were above the law. GMB is proud to have been the first union into the High Court and we are absolutely delighted that all of the blacklisting claimants have achieved generous settlements and a full apology from the blacklisting companies. For decades household name construction companies implemented an illegal blacklisting system, which denied a generation of trade union activists and health and safety reps an opportunity to provide for themselves and their families. Finally they have been held to account in public and at great cost to them financially and reputationally.**

**Preventing 3,213 workers earning a living to support their families was a gross injustice and government and employers' organisations must never forget this sordid episode. Without strong regulation and penalties holding them to account, employers will always be tempted to put profit above people."**

Maria Ludkin, GMB Legal Director said: **"We have always felt that our members deserved substantial compensation, and today we are satisfied that we have achieved the best settlements possible from the blacklisters. All GMB could ever get for our members was compensation and a full apology. We could never get back years of their family lives stolen by the blacklisters who believed it was acceptable in Britain to put their profits ahead of health and safety and ordinary people lives and trade union voice in the workplace.**

**The companies involved tried to keep this dirty little secret hidden. GMB was determined to ensure that that was not going to happen and we have fought tooth and nail to ensure a just outcome.**

**To the bitter end, the companies have remained in denial that they were blacklisters, fearful that public acknowledgement could cost them public sector contracts worth billions of pounds."**

End

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## Notes to editors

1. A week before the trial was due to start the ICO made further disclosures which should have been disclosed many months earlier.
2. Table showing numbers of workers and settlements received by area:

Blacklisted workers	Amount	Town
10	£420,000	Humberside
6	£405,000	Greenock Inverclyde

9	£240,000	London	
2	£225,000	Merseyside	
1	£200,000	Sutton Coldfield	
4	£175,000	Co Donegal	
3	£155,000	Glasgow	
1	£140,000	Renfrew	
3	£120,000	Ardrossan	North Ayrshire
2	£115,000	Overseas	
2	£100,000	Irvine	Ayrshire
1	£90,000	Chelmsford	Essex
1	£90,000	Laindon	Essex
1	£90,000	Cardiff	
1	£90,000	Gourock	Inverclyde
1	£90,000	Grangemouth	Stirlingshire
1	£90,000	Port Glasgow	
2	£85,000	Ellesmere Port	Cheshire
3	£80,000	Rotherham	
1	£80,000	Rainham	Kent
1	£80,000	Strood	Medway
1	£80,000	Swindon	
1	£80,000	Hamilton	
2	£75,000	Teesside	
3	£75,000	Tyne & Wear	
1	£75,000	Lancaster	
1	£70,000	Chorley	Lancashire
1	£70,000	Pudsey	West Yorkshire
1	£70,000	Redhill	Surrey
1	£70,000	Livingston	
1	£65,000	Loughborough	
2	£65,000	Londonderry	
1	£60,000	Dartford	Kent
1	£60,000	Milton Keynes	
1	£60,000	Portland	Dorset
2	£60,000	Edinburgh	
1	£55,000	Ringwood	Hampshire
1	£50,000	Billericay	Essex
2	£50,000	Southampton	

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2	£50,000	Paisley	
1	£50,000	Stevenston	North Ayrshire
1	£45,000	Dagenham	Essex
1	£40,000	Barnstaple	Devon
1	£40,000	Duntocher	Clydebank
1	£35,000	Kirkby Stephen	Cumbria
1	£35,000	Runcorn	Cheshire
1	£35,000	Warrington	
1	£35,000	Stowmarket	Suffolk
1	£35,000	Bromley	Kent
1	£35,000	Rochester	Kent
1	£35,000	Dunsford	Devon
1	£30,000	Blackpool	
1	£30,000	Dover	
1	£30,000	Llanelli	
1	£25,000	Barrow-in-Furness	Cumbria
1	£25,000	Bury	
1	£25,000	Keighley	
1	£25,000	Wakefield	
1	£25,000	Scunthorpe	North Lincs
1	£25,000	Walsall	
1	£25,000	Canvey Island	Essex
1	£25,000	Romford	Essex
1	£25,000	Portsmouth	
1	£25,000	Aberdeen	
1	£25,000	Cowdenbeath	Fife
1	£25,000	Falkirk	
1	£25,000	Parkhall	Clydebank
1	£25,000	West Kilbride	North Ayrshire
1	£25,000	County Galway	
1	£15,000	Sleaford	Lincolnshire
1	£10,000	Manchester	
1	£10,000	Sheffield	
1	£10,000	Nottingham	
1	£10,000	Oxford	

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3. The following extracts are from GMB witness statements in the High Court:

Witness A's wife said: "Blacklisting stopped us having a family. We had our daughter in 1986, but this was much later than we wanted to. We had planned to have more children but without my husband being in work we couldn't afford to."

Witness B said: "When I was being refused work, or told there were no starts, I felt despair at not being protected because I was a safety rep. I thought the law would protect me in a situation like that. It was so frustrating sending out CVs and getting no responses. I felt like I was banging my head against a brick wall."

Witness C said: "People thought I did not want to work, which was not the case and as a result I became more reclusive and felt left out. My brother thought I wasn't working because I did not want to, rather than I could not get a job. He started looking at me a different way, as if he was thinking "haven't you got a job yet?" ..... I felt I was an embarrassment to my brother"

Witness D said: "I always enjoy my work, and take pride in doing a job well. Hearing about the blacklist caused a lot of bad memories to flood back about how my employment struggles affected my family and finances. We used to have to get milk tokens for my daughter's milk, and we never had proper holidays.

I did not even have the money to buy my wife some flowers when she gave birth to our daughter.

My wife thought I was not trying hard enough to get work, and I did not know what I was doing wrong. She also had to work two jobs to make sure we kept our heads above water, and I found it very upsetting that I could not provide enough money for my family.

Once I picked up my daughter from school and the teacher took me to one side. She said that she had been in tears, and when they asked her what it was about, she had told them that she had heard her parents arguing and thought that no-one wanted to work with her dad."

Witness D's wife said: "I blamed my husband for not finding work when I knew that there was work available in construction in our area.

He used to leave home at 6am to search for work. He came back home around teatime.

When we were able to go on holiday, my husband did not come as we could not afford to pay for 3

people and he stayed at home to look for work.”

Witness E said: “I still feel traumatised by the deaths of my friends and colleagues on the site, and it appears now that I have been punished for standing up to show how their deaths were preventable. I believe that I was blacklisted in a vindictive and malicious way for standing up for the right thing.”

Witness E’s wife said: “I remember the stress of the weekly grocery shopping and having to choose what we could afford to buy. There were some weeks where we would go without things because others were needed more urgently. I recall having to put off buying soap and washing powder because essentials like food obviously came first.

I don’t believe that my husband has ever fully recovered from the events..... or from the distress he felt he felt about not being able to find work after it.”

#### 4. Companies known to have used The Consulting Association blacklist:

Amec Building Ltd	Kier Ltd
Amec Construction Ltd	John Mowlem Ltd -Ex Member
Amec Facilities Ltd	Laing O’Rourke (Laing Ltd)
Amec Ind Div	Lovell Construction (UK) Ltd – Ex Member
Amec Process & Energy Ltd	Miller Construction Limited – Ex Member
Amey Construction – Ex Member	Morgan Ashurst
B Sunley & Sons – Ex Member	Morgan Est
Balfour Beatty	Morrison Construction Group – Ex Member
Balfour Kilpatrick	N G Bailey
Ballast (Wiltshire) PLc – Ex Member	Shepherd Engineering Services
Bam Construction (HBC Construction)	Sias Building Services
Bam Nuttall (Edmund Nutall Ltd)	Sir Robert McAlpine Ltd
C B & I	Skanska (Kaverna/Trafalgar House Plc)
Cleveland Bridge UK Ltd	SPIE (Matthew Hall) - Ex Member
Costain UK Ltd	Taylor Woodrow Construction Ltd – Ex Member
Crown House Technologies (Carillion/Tarmac Const)	Turriff Construction Ltd –Ex Member
Diamond M & E Services	Tyson Contractors – Ex Member
Dudley Bower & Co Ltd – Ex Member	Walter Llewellyn & Sons Ltd - Ex Member
Emcor (Drake & Scull) - ‘Ex Ref’	Whessoe Oil & Gas
Emcor Rail	Willmott Dixon – Ex Member

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G Wimpey Ltd – Ex Member  
Haden Young

Vinci PLC (Norwest Holst Group).

Names in brackets indicate where companies have undergone a change of name or where subsidiaries have been absorbed by parent companies.

### 5. Managers named as blacklisters (Most initials are from the files of those blacklisted.)

Michael Aird (MA) - Balfour Kilpatrick - Glasgow

Kathy Almansoor (KA) - Kier Group – Sandy, Bedfordshire

Dave Aspinall (DA) - Carillion / Crown House - Wolverhampton

Alan Audley (AA) – Vinci - Watford

John Ball (JB) - Carillion / Crown House - Wolverhampton

Ron Barron (RB) - CB & I – Tonbridge, Kent

Valerie Bennison (VB) – Whessoe - Darlington

Ernie Boswell (EB) - Kier Group – Sandy, Bedfordshire

Richard Bull (RB) - HBG Construction (BAM) – Colindale, London

Iain Coates (IC) – Emcor – Kew Bridge, Twickenham

David Cochrane (DC) - Sir Robert McAlpine – Hemel Hempstead, Hertfordshire

Ann Cowrie (AC) - Balfour Beatty Civil Engineering - Edinburgh

Tony Crowther – AMEC – Knutsford, Cheshire

John Dangerfield (JD) - Balfour Beatty Scottish & Southern - Basingstoke, Hampshire

Lynn Day (LD) - Cleveland Bridge UK – Darlington



John Dickinson (JD) – Skanska – Rickmansworth, Hertfordshire

Frank Duggan (FD) - Carillion / Crown House - Wolverhampton

John Edwards (JE) - Carillion / Crown House - Wolverhampton

Kevin Gorman (KG) - Carillion / Crown House - Solihull

Elaine Gallagher (EG) - Balfour Kilpatrick - Glasgow

Gerry Harvey (GH) - Balfour Kilpatrick - Glasgow

Roy Hay (RH) – Tarmac - Solihull

David Hillman - Sir Robert McAlpine – Birmingham

Keith Horner (KH) - Ballast Wiltshire

Dianne Hughes (DH) – Tarmac / Crown House - Solihull

Geoff Hughes (GH) – Costain – Maidenhead, Berkshire

Greg Ingleton (GI) – Emcor – Kew Bridge, Twickenham

Prue Jackson (PJ) - Haden Young - Watford

Vince James (VJ) - Balfour Beatty Scottish & Southern – Basingstoke, Hampshire

Armar Johnston (AJ) - Balfour Kilpatrick – Livingstone

Liz Keates (LK) - Carillion / Crown House - Wolverhampton

Sheila Knight (SK) – Emcor – Kew Bridge, Twickenham

Ian Leake (IL) - Taylor Woodrow, Watford

Tim Llewellyn (TL) - Walter Llewellyn & Sons Ltd, Eastbourne, East Sussex

Alf Lucas (AL) – Mowlem

Bridget May (BM) – Nuttall – Camberley, Surrey

Cullum McAlpine - Sir Robert McAlpine – Hemel Hempstead, Hertfordshire

Paul McCreath (PM) - HBG Construction (BAM) – Colindale, London

Steve McGuire (SM) - Morgan Est plc – Warrington

John Morrison (JM) - Morrison Construction - Edinburgh

Arnold Nestler (AN) - AMEC – Knutsford, Cheshire

Lisa O'Mahoney (LOM) - Laing O'Rourke – Dartford, Kent

Danny O'Sullivan (DOS) - Kier Group – Sandy, Bedfordshire

Sandy Palmer (SP) - Carillion / Crown House - Wolverhampton

Harry Pooley (HP) - Rosser & Russell - Watford

Derek Price – Morgan Ashurst – Stratford upon Avon

Stephen Quant (SQ) – Skanska – Rickmansworth, Hertfordshire

Paul Raby (PR) - Balfour Kilpatrick - Glasgow

Murray Reid (MR) - NG Bailey – Ilkley, West Yorkshire

Roger Robinson (RR) - Carillion / Crown House - Wolverhampton

Sylvia Smith (SS) - Laing O'Rourke – Dartford, Kent

Trevor Spice (TS) – Costain – Maidenhead, Berkshire

Lisa Stevenson (LS) - Shepherd Engineering Services - York

John Stoddart (JS) - SIAS Building Services - Keighley

Alan Swift – Crown House Technologies - Manchester

Pat Swift (PS) - BAM Nuttall - Guildford

Alan Thorniley (AT) – Vinci - Watford

Brian Tock (BT) - Carillion / Crown House - Solihull

Ken Ward (KW) – Costain – Maidenhead, Berkshire

Trevor Watchman (TW) - Balfour Beatty Major Projects – Redhill, Surrey

Steve Wigmore – Crown House Technologies - Solihull

Allison Wilkins – Skanska – Rickmansworth, Hertfordshire

Carolyn Williams (CW) - Haden Young – Watford

### 6. Where blacklisted workers came from.

#### Blacklisted workers

– number in each area

Location	Number on the blacklist	Location	Number on the blacklist
Aberdeen City	14	Kent	95
Aberdeenshire	54	Kingston upon Hull	62
Anglesey	3	Lancashire	60
Angus	5	Leeds	53
Argyll & Bute	7	Leicestershire	5
Bath and North	1	Lincolnshire	13
East Somerset			
Bedfordshire	4	Manchester	183
Berkshire	2	Merseyside	173

Birmingham	69	Midlothian	3
Bristol	25	Monmouthshire	9
Buckinghamshire	20	Norfolk	7
Cambridgeshire	12	North Ayrshire	67
Cardiff	10	North Lanarkshire	22
Ceredigion	9	North Yorkshire	12
Cheshire	64	Northamptonshire	14
City of London	454	Northern Ireland	1
Clackmannanshire	3	Northumberland	7
Cornwall & Isles of Scilly	3	Nottinghamshire	12
Cumbria	27	Orkney Islands	1
Denbighshire	34	Oxfordshire	8
Derbyshire	16	Perth & Kinross	2
Devon	19	Powys	2
Dorset	8	Redcar and Cleveland	43
Dumfries & Galloway	6	Renfrewshire	15
Dundee City	21	Rhondda Cynon Taf	2
Durham	11	Rhondda, Cynon, Taff	3
East Ayrshire	18	Rotherham	56
East Lothian	1	Shropshire	2
East Riding of Yorkshire	16	Somerset	5
East Sussex	8	South Lanarkshire	16
Edinburgh, City of	52	Southern Ireland	1
Essex	57	Staffordshire	16
Falkirk	35	Stirling	7
Fife	24	Suffolk	9
Glasgow City	140	Surrey	32
Gloucestershire	32	Swansea	15
Gwynedd	12	Tyne & Wear	69
Hampshire	50	Warwickshire	1
Hereford &	3	West	8

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Worcester	
Hertfordshire	14
Highland	15
Inverclyde	26
Isle of Wight	1

Dunbartonshire	
West Lothian	12
West Sussex	11
Wiltshire	5
Wokingham	10

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