On behalf of the TUC, its 50 affiliated unions and 5.7 million British workers, I would like the Procedure Committee to consider a few preliminary comments on delegated powers in the Great Repeal Bill, although we plan to make more detailed submissions on the Bill once it is introduced.

The TUC campaigned in the referendum for the UK to remain in the European Union, because we believed this was the best way to protect working people’s living standards and workplace rights. However, we accept the result: our priority now is to ensure that as we leave the EU, protecting working people’s interests is central in the negotiations around the terms of exit and the future EU-UK relationship, as well as in the conception of the necessary adjustments that will need to be introduced under UK law.

During the passage of the European Union (Notification of Withdrawal) Bill 2016-2017 the TUC has argued for increased transparency and parliamentary scrutiny of the negotiations, in particular to ensure that the government commits not only to maintain employment rights and protections during a transitional phase before a new EU-UK settlement is agreed with our European partners, but also to ensure that any future arrangement commits the UK to continue to comply with EU employment standards in the long term so as to guarantee that workers’ rights in the UK do not fall behind those of workers in Europe. Such negotiated commitments would provide certainty for business and maintain a level playing field within Europe.

It will be important for the provisions of the Great Repeal Bill to reflect and not conflict with these objectives for future negotiations. To this end, the TUC believes that alongside provisions incorporating the body of EU employment law into domestic law, the Bill should include clear non-regression clauses which confirm that neither the Bill nor powers contained within it may be used to repeal, amend or otherwise modify legislation relating to employment law, labour law or equality law. Such provisions would also reflect the government’s stated policy of protecting EU employment rights in the future.

These points are not conclusive of the TUC views on the Great Repeal Bill but are intended to inform the views of the Procedure Committee, since we are not able at this stage to address all the inquiry’s terms of reference.

The TUC remains fully engaged in this important process and would be happy to continue to contribute to your deliberations.

Frances O'Grady
General Secretary
3 March 2017