



Northern Ireland
**Council for
Racial Equality**

DAERA AWB

CONSULTATION

ON

DRAFT EQUALITY

IMPACT ASSESSMENT

7th July 2021

Introduction

NICRE is a black led membership-based organization. It is currently had 18 ethnic minority and migrant organizations as well as individuals' members. NICRE was set up to continue the policy work of the previous NICEM (NI Council for Ethnic Minority) which was under voluntary administration in November 2016. In the past we have EU citizens living and working in rural area for seasonal and non-seasonal agricultural, horticultural, processing and packaging of all fresh food, drink and other produce; they are vulnerable for exploitation by paying far below the national minimum wage/living wage, in particular the Roma and/or Gypsy community which will not trust any local people nor other EU or BME community.

DEFRA AWB Consultation

NICRE welcome DEFRA's Abolition of Wage Board proposal. The outdated law and the new enforcement agency of Gangmasters and Labour Abuse Authority step in to protect rural workforce in England and Wales. Therefore, we support the abolition of wage board in Northern Ireland. We also agreed the findings of DEFRA's survey in 2018 in which there is potential that the policy may have an adverse impact on seasonal migrant workers, who may subject to lower rate of pay under National Minimum Wage law, than would currently be the case under the AWB grade-based pay regime. It is also likely that seasonal workers may have a lower age profile compared with residential agricultural population.

Moreover, the agricultural and food industry raises the concerns regarding the impact of EU Exit and the stricter skills threshold needed to recruit workers. The younger workers at these grades are more likely to be affected. DEFRA also highlights migrant workers additional barriers such as language and a lack of local networks or connections.

NICRE's comments

- The current employment law and fair employment law make the current law to regulate agricultural workers/employers sector redundant. The outdated law put the agricultural seasonal workers almost unregulated as the gangmasters step in, in particular those Roma and/or Gypsy community in Northern Ireland which is exploited by their Roma and/or Gypsy gangmasters due to their vulnerability. They do not trust anyone whether they are local, EU or BME community except their gangmasters. In all cases, the gamemasters applied for child benefits under the EU rights. Although the cases show were from Belfast, it is more difficult to gain their trusts. In most cases, if the fraud exposed, the gangmasters will send them home and the case collapse.
- Prior to the former A8 and A2 accession, we had mushroom pickers in Northern Ireland abused by its employer who is a veteran Labour Party member. Moreover,

the current law of Gangmasters and Labour Abuse Authority has replaced completely on agricultural, horticulture, processing and packaging of all fresh food, drink, and other produce, etc.

- Moreover, whether it is seasonal work forces or not, black African/black Caribbean can be exploited with lower than the national minimum wage/living wage. There is also possibility that they have both experiences and qualification but have lower pay in corresponding to the white counterpart in the same experiences and qualification.
- The last but not the least, Northern Ireland will be part of the Custom Union of the EU law, policy, and practice within the Northern Ireland Protocol as result of Brexit. The EU law such as non-discrimination, sick pay, health and safety, etc. will continue.

If you have any query about this submission, please contact Mr. Patrick Yu, Secretary of NICRE at 7 Rugby Road, Belfast BT7 1PS or his mobile at +44 7710 767235.