

Still Rigged

Racism in the UK Labour Market 2022

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Foreword

This important and sobering report lifts the lid on racism in our labour market. Based on extensive polling, it provides quantitative evidence of the scale of workplace discrimination facing Black¹ workers. And it offers an insight into the insidious way in which this racism undermines their lives, livelihoods, and life chances.

Carried out under the auspices of our Anti-Racism Taskforce, the TUC's research shows that racism scars every aspect of working life. As well as determining who gets hired and fired, it also shapes Black workers' day-to-day experiences, from training and promotion opportunities to the allocation of shifts and holidays. Many BME workers also told us they have experienced bullying, harassment and worse. Alarming, the vast majority did not report this to their employer.

Unsurprisingly, all this comes at a huge cost. Black workers' mental health suffers. Their confidence takes a hit. And many suffer in-work poverty, sometimes having to do two, or even three, jobs to make ends meet. This racism doesn't just wreck lives - it's used to divide working people and makes us all weaker.

As the global struggle for racial justice has intensified, race equality has become prominent on the political agenda. The Covid-19 pandemic highlighted inequalities hardwired into our economy and society, with BME workers more likely to do dangerous work, more likely to contract the virus and more likely to die from it. We know too that Black workers are on the frontline of insecure work, being massively over-represented on zero-hours contracts and in low-paid jobs. And this makes them especially vulnerable to the cost-of-living emergency now hammering working people.

This study underlines the overwhelming need for change. Despite commissioning report after report on race equality, the government has consistently failed to deliver the reforms we need. Instead of addressing the causes and consequences of discrimination, ministers have chosen to pursue dangerous narratives about race that divide working people.

That's why unions must put the fight against racism at the heart of our organising, bargaining and campaigning work. We must build solidarity among working people, showing that the debates about class and race in modern Britain are fundamentally linked. And we must lead by example and meet the aspirations of our Black members

¹ The TUC uses the term 'Black workers' to indicate people of colour with a shared history. 'Black' is used in a broad political and inclusive sense to describe people in the UK who have suffered from colonialism and enslavement in the past and continue to experience racism and diminished opportunities.

for better work. As this research makes clear, many had a positive experience of homeworking during the pandemic, underlining why we need genuine flexibility for all.

But unions can't do it all alone. This report ought to act as a wake-up call for employers, policymakers and politicians. The scale of the challenge we face demands structural, institutional and legislative change. And where better to start than by introducing mandatory Ethnicity Pay Gap Reporting – alongside Action Plans to address discrepancies?

Now is not the time for incremental measures or half-hearted policy initiatives, but for transformative change. The trade union movement will keep fighting for radical action to address racism in our labour market. We believe Britain at work should be Britain at its best – fair, inclusive and equal. Black workers deserve nothing less.

Frances O'Grady, TUC General Secretary

Please note this report includes racist comments shared with us by focus group participants to illustrate their experiences of everyday racism. These may trigger unwelcome and distressing memories or thoughts for some readers. Resources for support can be found at the end of this report.

Executive Summary

Racism does not exist in a vacuum. It is multi-faceted, multi-layered and emerges from established values and practices that are deeply embedded within our institutions and structures. Often workplace racism is wrongly reduced to either a series of random one-off events and/ or the implicit attitudes and unconscious biases of an individual. The findings of this report remind us that racism remains a critical feature of workplace structures and culture and everyday working life for a significant number of people in this country.

We must recognise and address the fact that racist ideas and racial inequality in the labour market rely on a series of everyday workplace practices for their reproduction. The types of racism that are referred to in this report are 'everyday racism' (also referred to as individual racism), institutional racism and structural racism.

Everyday racism describes recurrent, systemic, and familiar practices within society that work to the detriment of BME people. It can consist of 'banter' and being marked out as being different from other dominant groups at work. It can consist of everyday slights, snubs or insults that can make us feel unwelcome, second-class or stereotyped

Following the Stephen Lawrence Inquiry in 1999², **institutional racism** in the UK was defined as *"the collective failure of an organisation to provide an appropriate and professional service to people because of their colour, culture, or ethnic origin. It can be seen or detected in processes, attitudes and behaviour which amount to discrimination through unwitting prejudice, ignorance, thoughtlessness, and racial stereotyping which disadvantage minority ethnic people."*

Structural racism refers to wider political and social disadvantage and affects individuals daily. Racism is a system of domination and oppression with a deep-rooted historical foundation. It divides and organises society in a way that structurally disadvantages certain ethnic groups. For example, consider the fact that BME households have higher rates of poverty³ or the high rates of death from Covid-19 among BME groups⁴.

To paint a contemporary picture of BME people's experiences of racism at work, the TUC commissioned Number Cruncher Politics to carry out polling on experiences of

²https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/277111/4262.pdf

³ <https://commonslibrary.parliament.uk/income-inequality-by-ethnic-group/>

⁴ <https://www.tuc.org.uk/research-analysis/reports/dying-job-racism-and-risk-work>

discrimination in the UK, the impact of the pandemic – including working from home – on BME workers, and what BME workers think of employer action on tackling racism. The polling is based on a weighted sample of 1,750 Black and Ethnic Minority workers in the UK, which we believe is the largest representative poll ever carried out to look at the experiences of BME people at work.

We asked people to tell us about their experiences at work: if they had been racially harassed, attacked or bullied, if they had been treated differently by their employer because of their race (e.g., by being denied promotion, access to training or being unfairly disciplined). We also asked people to tell us about their experiences of raising issues of racism in the workplace; how their employers responded to their complaint, what support they were able to get and what impact the experience of workplace racism had on their lives outside of work.

The evidence captured in this report reveals the systemic nature of racism and highlights that workplace racism and racial inequality must be addressed through substantive structural, institutional and legislative reform.

The findings reveal both the structural racism that traps Black workers in lower paid and insecure jobs, and the everyday experience of racism. Almost one in five BME workers (18 per cent) had to work two or more jobs for financial reasons. 15 per cent have worked on a zero-hours contract at some point in the past five years and a similar proportion (13 per cent) have had working hours changed at short notice.

Two in five BME workers reported experiencing racism at work in the last five years. Those who reported experiencing at least one form of harassment were asked to think back to the most recent incident. Over half believe that their treatment was at least partly due to their race or ethnic background.

In terms of everyday racism, BME workers were asked to select all types of harassment that they have experienced at work in the past five years.

The most common responses were:

- racist jokes or banter (27 per cent)
- being made to feel uncomfortable at work due to, for example, people using stereotypes or commenting on their appearance (26 per cent)
- being bullied or harassed (21 per cent)
- racist remarks directed at them or made in their presence (21 per cent)

Incidents of racism and discrimination have a clear negative impact on BME workers. Around a third reported that the most recent incident left them feeling less confident at work (35 per cent), and a similar proportion said it made them feel embarrassed (34 per cent) and had a negative impact on their mental health (31 per cent).

The vast majority of those subjected to harassment do not tell their employer. Only 19 per cent of those who had experienced harassment reported the most recent incident to their employer. Those subjected to harassment were more likely to tell their family or friends (41 per cent), a work colleague (34 per cent), or do nothing (24 per cent). Only six per cent told their trade union – although this does rise to 20 per cent among trade union members.

Reporting an incident to an employer, in the majority of instances, doesn't lead to action being taken to prevent future harassment. Action was taken to prevent harassment in just 29 per cent of cases, and in 24 per cent of cases, no action was taken. 44 per cent of those who had experienced harassment but didn't report it said they didn't think the issue would be taken seriously. These findings are a clear example of how institutional racism manifests in workplaces across the UK.

Racism is part of the fabric of British society, its insidious operations and deep institutionalisation means that for centuries it has been operating at varying degrees and levels. The experiences shared with us by BME workers and the polling data on racism in the labour market reinforces this. There is an urgent need to effectively tackle racism and achieve a significant and sustained change in workplace culture. Key to the change needed is one of mindset. Too often, racism is only seen as a problem when an individual incident is identified – such as when someone gets abused or are treated differently because of their race.

What is needed instead is a collective, pre-emptive response that promotes equality and dignity for everyone, gives confidence to all staff that they need not stand for discrimination or bullying, and makes dealing with racism at work everyone's responsibility. To achieve this change, government, employers, enforcement bodies and trade unions must work together to:

- Ensure that the workers at the sharp end of structural racism get a better deal. Black workers are significantly more likely to experience insecure and poor-quality work. Raising the floor of rights for everyone will have a disproportionately positive impact on Black workers and make it harder for employers to operate a two-tier workforce.

- Ensure that employers have a duty to embed race equality practices in their workplaces. Employers should be responsible for taking corrective and preventative action. They must ensure that they take measurable steps to prevent situations in which their employees are at risk of encountering everyday and institutional racism.
- Ensure that there are swift and effective penalties when workers experience racism. Everyone deserves to be treated with respect and dignity at work. All forms of alleged harassment and bullying must be dealt with seriously and swiftly.

Introduction

The murder of George Floyd on 25 May 2020 in Minneapolis, Minnesota reignited the Black Lives Matter (BLM) movement in the USA and forced a public discussion about the nature of racism in society globally. The Black Lives Matters protest in the UK - most notably highlighted by the toppling of the statue of the slave trader Edward Colston in July 2020- challenged the national historical narrative about Britain's involvement in slavery, colonialism, and Empire and how this links to contemporary race discrimination in the UK. This discussion has been largely absent from recent public debate and was last prominent during the early and mid-2000s in the context of the war on terror.

The impact of disproportionate levels of death experienced by Black workers during the coronavirus pandemic shone a spotlight on the entrenched institutional racism experienced by Black communities. Covid-19 unveiled a pandemic of inequalities rife within BME communities. From the over-policing of Black communities, to the creeping realisation that because BME people are significantly more likely to live in poverty, they were at greater risk of overcrowding and therefore faced increased risk of contracting coronavirus.⁵

The current broader right-wing political developments and media discourses have legitimised and normalised racism, xenophobia, and anti-immigrant sentiment. This discourse plays a destructive role in shaping the forms of racism people continue to encounter in their everyday working lives. Numerous reports produced over the years – some commissioned by the government– have recommended action to tackle institutional racism and entrenched disadvantage. If these recommendations had been acted on, BME workers would perhaps not have suffered the disproportionate number of deaths during this crisis.

The government's response to date has failed to accept the extent to which institutional racism plays a part in the lived experiences of Black workers in the labour market. Indeed, the government's own Commission on Race and Ethnic Disparities attempted to roll back the conclusions of Sir Robert Macpherson's report into the murder of Stephen Lawrence by denying that institutional racism exists.

And 'Inclusive Britain', the 2022 government response to the report of the Commission on Race and Ethnic Disparities, fails to address the fundamental issues of race discrimination faced by Black workers in the labour market. Its only response to the problems of racial discrimination in the workplace is to a commitment to publish advice

⁵ Nagesh, A. (2020), 'How coronavirus tore through Britain's ethnic minorities', BBC News, Online, 2 June 2020

for employers who may want to introduce ethnic pay gap reporting. It fails to address the daily racism faced by Black workers. Previous TUC research⁶ has shown that Black workers are: -

- More likely to be disciplined
- More likely to have low scores on performance appraisals
- More likely to be given the more challenging and less popular tasks
- More likely to be unfairly criticised
- More likely to suffer harassment or violence
- More likely to be bullied
- Less likely to get access to training
- Less likely to be given development opportunities or be allowed to act up to a senior level
- Less likely to get access to promotion

A core problem with the government's response to racism overall is that it fails to recognise that whilst workers from different ethnic groups may have different experiences in the workplace, this does not mean they do not have a shared experience of racism. These different experiences result from class, historical and contemporary migration patterns into the UK which have resulted in occupational segregation. Continuing racial stereotyping of different groups reinforces this segregation.

Racism clearly shapes the type of jobs people have access to, and the pay they receive when they do those jobs. For example, recent TUC research shows us that one in six (14.6 per cent) of Black and Minority Ethnic workers are likely to be in insecure work, compared to 11.15 per cent of White workers in this position⁷. Ministers have ignored the growth in casualisation suffered by Black workers who are disproportionately trapped in temporary jobs, agency jobs and zero-hours contracts. This trend has resulted in high levels of in-work poverty, resulting in Black workers being trapped in low-waged occupations and in situations where they are expected to do the most demanding and dangerous work.

The TUC believes that the economic position of people in Black communities, the racism that shapes their lived experience and the role that race inequality plays in the world of work, as the pandemic demonstrated, needs urgent addressing.

⁶ <https://hummedia.manchester.ac.uk/institutes/code/research/projects/racism-at-work/tuc-full-report.pdf>

⁷ [InsecureWork.pdf \(tuc.org.uk\)](#)

Racism can determine who gets hired, trained, promoted, retained, demoted, and dismissed. The evidence presented in this report further demonstrates that it is wrong to dismiss talk of racism and racial inequality. The structuring role of racism is such that it shapes the class position, class experience and class relations between workers and employers. Racism plays an important role in explaining why people racialised as non-White are more likely to find themselves in low-paid, non-permanent, low-hours jobs.

But the impact of racism doesn't stop at job selection or pay. Black workers experience everyday racism, which both damages their mental health, acts to reinforce their marginalisation within workplaces, and damages their chances of getting on.

In commissioning this report, the TUC's Anti-Racism Taskforce seeks to ensure that the voices of Black workers are heard and that their daily experience informs the actions that must be taken to tackle racism in the workplace. If these experiences are ignored, then, as in the past, the policies and practices implemented will not result in the scale of change we need.

Research methodology – Focus groups and polling

In early 2021 Number Cruncher Politics conducted four focus group interviews of BME workers active in the labour market. The four groups were demographically and geographically segmented and consisted of:

- BME women - above the age of 40 - London
- BME women - under 40 - non-London
- BME men - under 40 - London
- BME men - above the age of 40 - non-London

In 2022, Number Cruncher Politics followed up this research with polling on BME workers. The polling is based on a weighted sample of 1,750 Black and Ethnic Minority workers in the UK. Interviews were completed online between 1 February and 1 May 2022.

The sample frame was BME adults aged 18 to 64, UK-wide, whose ILO economic activity was employed (including self-employed) or unemployed having previously worked, and who were not currently in full-time education. This population is young, urban, and highly educated. Among them 66 per cent were under-45, 41 per cent live in London, 61 per cent have higher education (NVQ level 4+), and 65 per cent were born outside the UK. The ethnic breakdown was 54 per cent Asian, 24 per cent Black, 11 per cent Mixed Race, and 12 per cent Other ethnicities.

Polling of BME populations presents a number of challenges. It is rarely done, and samples have historically tended to overrepresent those who are more affluent, better integrated, UK-born rather than immigrants, and specific ethnic groups. This has made it difficult to research the views of BME Britain, and in turn has contributed to an information vacuum, which work, such as this, seeks to address. Number Cruncher has done considerable work to achieve representative samples of the UK's BME communities – in this case, the BME workforce specifically.

In part, this involves many of the same considerations applicable to general population polling under real world conditions, such as properly representing younger respondents, those in urban areas and those less interested in politics and current affairs. But it also involves specific consideration of the harder-to-reach sections of BME communities, and the often-complex demographic and other biases traditionally found when polling them.

Number Cruncher's online sampling is designed to avoid or reduce these biases in raw samples as far as possible. This is done by using a mixture of online sampling outside of

traditional survey panels, together with vetting the panels used, to ensure high sample quality. Where necessary, remaining biases are removed via quotas and weights. This is done either directly (education, country of birth, and so on) or indirectly via geography.

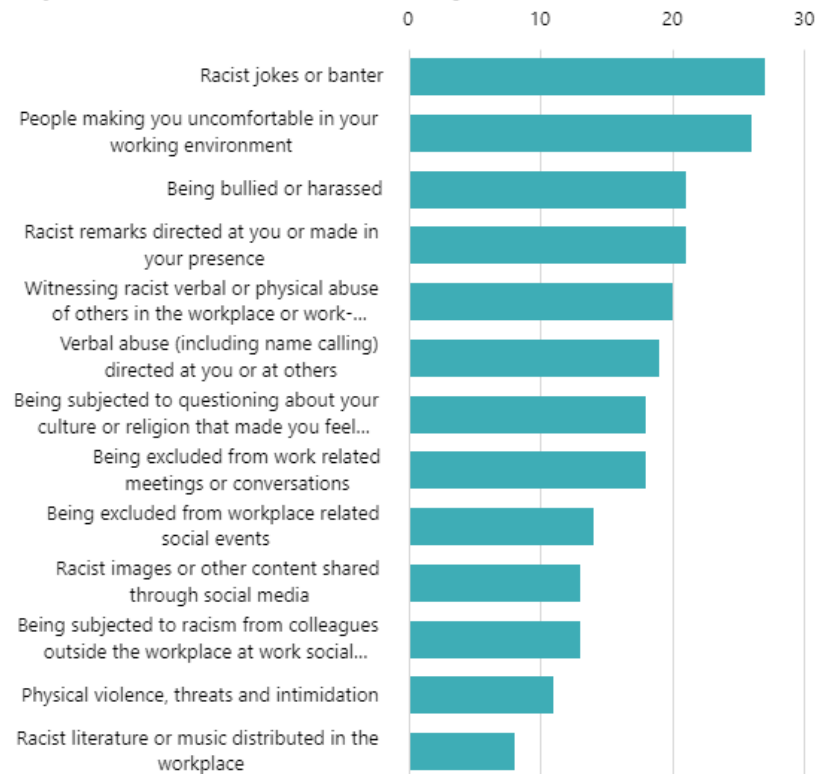
Everyday racism at work

Everyday racism at work can involve being a victim of racial comments and jokes - sometimes inexplicit jokes that have deep rooted undertones of racial stereotypes and prejudice. Over time, these experiences build up and can lead to under-confidence, have detrimental impact on mental health and damage positive social relations at work. Everyday racism can also consist of overtly racist language directed at BME people and even physical assault.

2 in 5 BME workers reported experiencing racism at work in the last five years. BME workers were asked to select all types of harassment that they have experienced at work in the past five years. The most common responses were:

- racist jokes or banter (27 per cent)
- being made to feel uncomfortable at work due to, for example, people using stereotypes or commenting on appearance (26 per cent)
- being bullied, or harassed (21 per cent)
- racist remarks directed at you or made in your presence (21 per cent).

Which of the following, if any, have you experienced at work in the last 5 years?



Source: Number Cruncher polling of 1,750 UK BME workers, conducted online 1 Feb - 1 May 2022

There were some differences by gender, with BME men being more likely to have experienced racist jokes or banter than women (30 per cent to 24 per cent), to have experienced verbal abuse or seen it happen to others (22 per cent to 16 per cent) and to have witnessed racist verbal or physical abuse of others at work or at work-organised social events (22 per cent compared to 18 per cent). BME women are more likely to have been excluded from workplace related social events (16 per cent to 12 per cent).

Young BME workers (18-24) were significantly more likely to experience racist jokes or banter (40 per cent compared to 27 per cent among all BME workers). In general, young BME workers were more likely to have experienced each type of harassment, with the exception of being excluded from work related meetings or conversations.

Young BME workers were almost twice as likely as any other age group to have seen racist literature or music distributed in the workplace (20 per cent, compared to 11 per cent of those aged 25-34, 7 per cent of those aged 35-44, 6 per cent of those aged 45-54 and 0 per cent of those aged 55-64).

What happened after the most recent incident?

Those who reported experiencing at least one form of harassment were asked to think back to the most recent incident. Over half believe that their treatment was at least partly due to their race or ethnic background.

The most common perpetrator of harassment was a colleague (38 per cent). In one in six instances (17 per cent), the perpetrator was a direct manager or someone else with direct authority. In 15 per cent of cases, the perpetrator was a customer, client, or patient. Given that BME workers make up just 14% of the workforce⁸, 'These findings demonstrate the prevalence of racism at work - and how that determines who is deemed to belong, and on what terms.

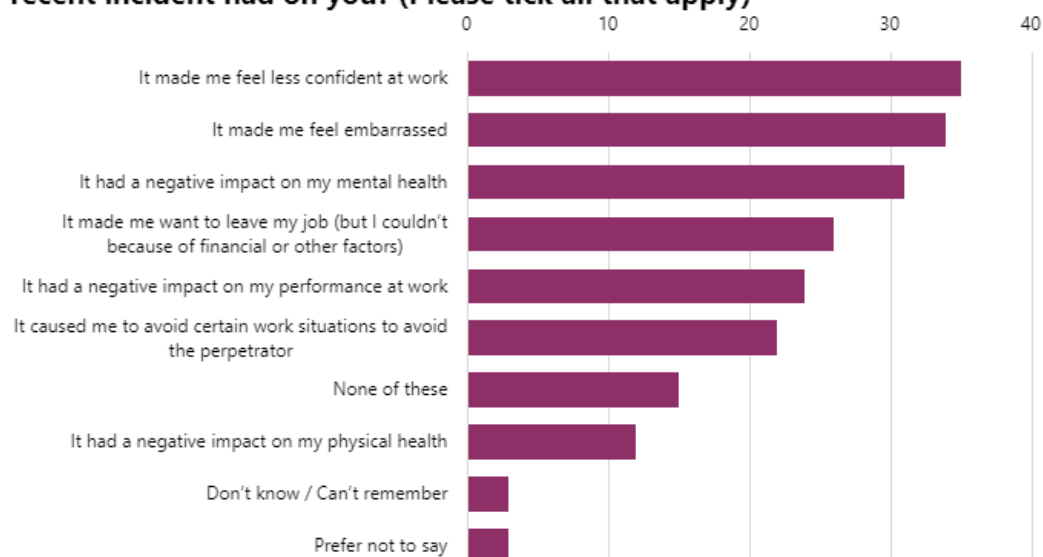
Such incidents have a clear negative impact on BME workers:

- Around a third reported that the most recent incident left them feeling less confident at work (35 per cent)
- 34 per cent said it made them feel embarrassed
- 31 per cent said it had a negative impact on their mental health.

⁸ [A09: Labour market status by ethnic group - Office for National Statistics \(ons.gov.uk\)](#)

- Around a quarter (26 per cent) of those who have experienced harassment said the most recent incident had left them wanting to leave their job, but financial or other factors made it impossible to do so.

Which, if any, of the following describe the effect the most recent incident had on you? (Please tick all that apply)



Source: Number Cruncher polling of 1,750 UK BME workers, conducted online 1 Feb - 1 May 2022. Base: Reported experiencing at least one form of harassment at Q401.

Reporting an incident

The vast majority of those subjected to harassment do not tell their employer. Only 19 per cent of those who have experienced harassment reported the most recent incident to their employer. Those subjected to harassment are more likely to tell their family or friends (41 per cent), a work colleague (34 per cent), or do nothing (24 per cent). Only 6 per cent told their trade union – although this does rise to 20 per cent among trade union members.

Of those who did report an incident to an employer only 38 per cent were satisfied, and 48 per cent were dissatisfied with how it was handled. Reporting an incident to an employer, in the majority of instances, didn't lead to action being taken to prevent future harassment. Action was taken to prevent future harassment in only 29 per cent of cases, and in 24 per cent of cases, no action was taken.

A quarter of cases resulted in a formal investigation (24 per cent) and 15 per cent led to informal investigation. 17 per cent saw disciplinary action taken against the perpetrator, and 9 per cent saw some other type of action taken against the perpetrator. Some of

those who reported incidents received negative treatment as a result: 7 per cent were transferred to another department or workplace, 3 per cent were disciplined and 3 per cent were subject to a counter complaint.

- Of those who did report the incident to their employer:
 - 59 per cent said they were treated better by their employer as a result
 - 31 per cent said there was no change
 - 7 per cent said it made their treatment worse
- Of those incidents reported to employers:
 - 19 per cent of complaints were ignored and 7 per cent weren't believed
 - Only a third (32 per cent) were formally investigated
 - Only one in five were dealt with fairly (19 per cent), dealt with promptly (21 per cent) or taken seriously (20 per cent)

The polling also looks at why people don't report incidents of harassment to their employer. The most common reasons given for not reporting the most recent incident of harassment are:

- I didn't think the issue would be taken seriously (44 per cent of those who had experienced harassment but didn't report it)
- I was worried about the impact on my working relationship with colleagues (26 per cent)
- I had no confidence that the incident would be addressed (20 per cent)
- I thought I would be treated worse by my employer if I reported (19 per cent)

The BME workers we interviewed in our focus groups similarly described their experiences of everyday racism at work. Some have stated that their employers get them "confused" with other BME colleagues which makes them feel like they are seen as one bloc rather than as individuals, and ultimately can lead to feeling isolated and invisible at work. Others stated how their names have been mispronounced and spelt incorrectly. They noted that if they were to bring these issues, they fear being labelled as a "troublemaker".

The survey participants who opted not to report the incident of harassment they had faced to their employer may have done so because they were all too aware of how it can negatively impact their treatment at work, and/or limit further opportunities.

"When I go into a class, for example, of the first thing that the children asked me is 'Miss Where are you from?' because I don't have a British accent."

"My name is not an English name therefore, because it has a 'q', it doesn't by default have to have a 'u' in there, which is what English people seem to think. If it was the other way around and you decided to misspell their name on every occasion, I'm sure it would get to a point where it will start bothering them as well."

Experiences of everyday racism, such as microaggressions, need to be integrated within the larger picture of racism which operates in the UK. Much contemporary racism is tied to the unaddressed underpinnings of the British state, such as slavery, colonialism and nationalism, which have allowed racism to flourish. Ignoring the history of racism in the UK feeds into its proliferation. When these instances of everyday racism remain unchallenged, they threaten to further embed structural racism. We therefore cannot be passive when it comes to confronting racist thinking and actions.

"My colleague made a statement to the effect of, 'it wouldn't happen like that in your country, would it?'"

"[They say] stuff like 'black monkey, go back to your country'"

Racist bullying and harassment are a constant part of BME workers experiences of everyday racism at work. Sometimes this is directed at them by their managers and colleagues and other times by customers or students. If workplace racism is to be taken seriously, senior leaders must ensure that they instil a zero-tolerance approach to workplace racism across the organisation and consistently across managerial structures.

"I ended up being on long term sick leave because I couldn't deal with her [manager] mood swings because I didn't know how she would be from day-to-day. She was intimidating me in front of other colleagues, she would be shouting across the office to me. She said morning to everyone, and not even acknowledge me."

Not being taken seriously, being ignored, and being seen as a "troublemaker" for raising complaints about racism only further compounds the effect of the original racist experience on the victim. This further increases the impact that racism has on people's physical and mental health, resulting in them feeling more isolated. This can also lead to victims being forced out of the job or leaving their job as a result.

BME people from different ethnicities, genders and faiths have varying experiences of racism. Everyday racist experiences can be intersected with misogynist, classist, homophobic, ableist, biphobic, transphobic, antisemitic and Islamophobic slurs.

Individuals facing multiple forms of discrimination are often seen as 'easier' targets, and often lack power in the workplace. For example, a recent report highlighted that 75 per cent of BME women have experienced racism at work⁹. Although each experience is unique and tied to the identity of an individual, it is also important to recognise they are all united by shared experiences of racism.

"[My manager] would just treat me differently compared to the other people because I was Asian, so her behaviour was different. And every time I was doing well at my job, she would just decrease my salary, so I was earning less."

The racist remarks and ignorant questioning that BME people face at work are shaped by broader political and media narratives. In this case above, the xenophobia and anti-immigrant sentiment is hard to ignore.

The findings in this report strongly suggest that we need to start thinking about workplace racism as a health and safety issue. Participants in both the polling and focus groups have reported the impact of racism on their mental health and have noted having to undergo periods of sick leave. Some respondents even felt compelled to leave their job as a direct result of the impact that racism had on their emotional and mental well-being.

Failing to address these experiences erases the plight of BME people at work. Racist experiences may lead to BME people thinking less of themselves, leading them to feel marginalised at work and have increased problems with their mental health, while perpetrators of racism will more likely feel emboldened by their actions and further strengthen their ideas of racial superiority - whether it is intended or "unconscious". Workplace racism can have devastating impacts and can lead to people giving up careers, having to take cuts in pay and having to seek other employment.

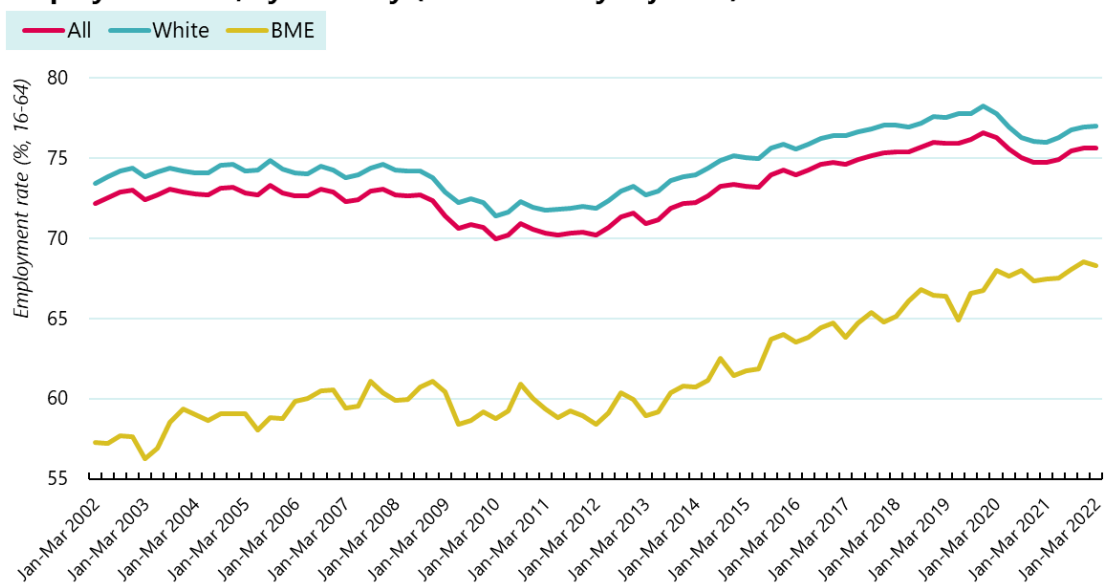
⁹ <https://www.fawcettsociety.org.uk/news/landmark-report-reveals-75-of-women-of-colour-have-experienced-racism-at-work>

Structural racism in employment

BME workers are more likely to live in areas with little investment from government, and high levels of concentrated poverty with overcrowded conditions¹⁰. This is compounded by the insecure and underpaid conditions these workers face in the labour market. Racism is not only a problem when specific incidents of racism take place. We must acknowledge the cumulative effect of institutional racism on BME workers' health, wellbeing, and ability to get on at work.

Structural and institutional racism means BME workers face a lower employment rate and a higher unemployment rate than White workers. Alongside this, BME workers are also more likely to be in insecure work than White workers. While the employment rate for BME workers has improved over the past decade, it remains significantly below the employment rate for White workers (68.3 per cent compared to 77.0 per cent)¹¹.

Employment rate, by ethnicity (not seasonally adjusted)



Source: ONS

This is especially true for BME women. The employment rate for BME women has increased by almost 13 per cent over the past decade, yet it remains substantially below the employment rate for White men (61.7 per cent compared to 79.5 per cent). A recent

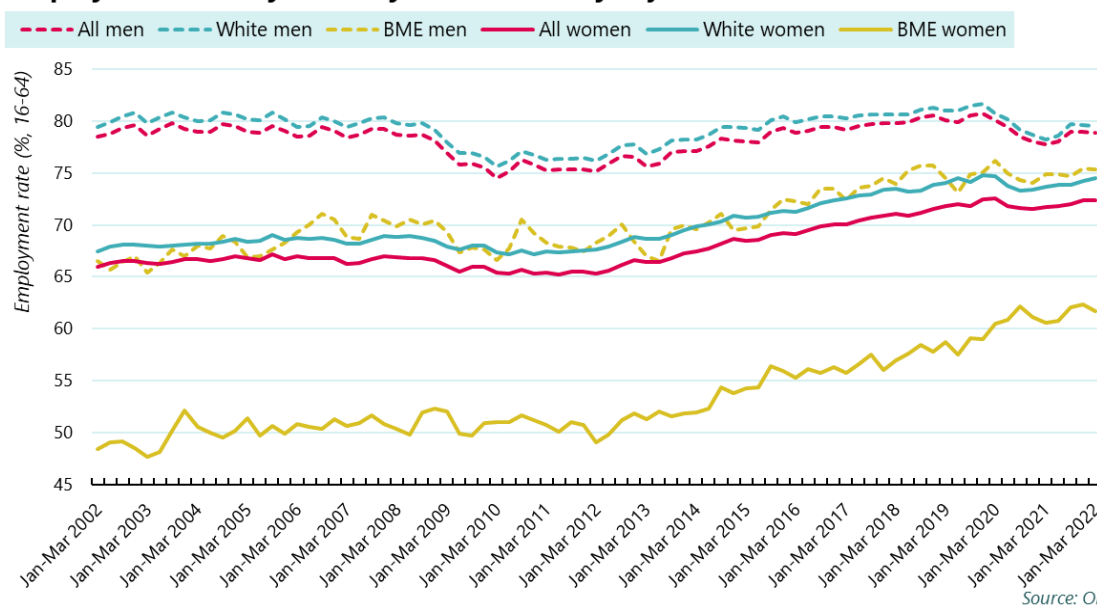
¹⁰ <https://commonslibrary.parliament.uk/income-inequality-by-ethnic-group/>

¹¹ Labour market statistics for BME workers can be found in the ONS dataset A09: Labour market status by ethnic group. They are not seasonally adjusted, so comparisons should be made between the same quarter across different years, rather than quarter-on-quarter. The dataset is available at: <https://www.ons.gov.uk/employmentandlabourmarket/peopleinwork/employmentandemployeetypes/datasets/labourmarketstatusbyethnicgroupa09>

report by the Fawcett Society found that 28 per cent of BME women (compared to 19 per cent of White women) reported that a manager had blocked their progression at work, whilst 42 per cent reported being passed over for promotion despite good feedback.¹² The road to progression for BME workers is littered with obstacles, and the lack of transparency and fair recruitment processes into senior roles plays a key part. Given this, it is unsurprising that such deeply entrenched discrimination directly impacts the physical and mental health of BME people.¹³

Occupational segregation

Employment rate, by ethnicity (not seasonally adjusted)



BME workers are overrepresented in the lowest paid occupations and underrepresented in the highest paid occupations¹⁴.

Black workers¹⁵ are:

- 321 per cent more likely to be in the elementary cleaning occupations
- 91 per cent more likely to be nurses

¹² <https://www.fawcettsociety.org.uk/broken-ladders>

¹³ Wallace, S., Nazroo, J.Y. and Bécares, L. (2016) 'Cumulative exposure to racial discrimination across time and domains: Exploring racism's long-term impact on the mental health of ethnic minority people in the UK', *American Journal of Public Health* 106(7): 1294–1300.

¹⁴ Pay in Working Class Jobs, TUC. Available at: <https://www.tuc.org.uk/research-analysis/reports/pay-working-class-jobs>

¹⁵ TUC analysis of Employment by sector data retrieved from gov.uk in July 2022. This is compared to White workers.

- 67 per cent more likely to be care workers or home carers
- 183 per cent more likely to be sewing machinists
- 97 per cent more likely to be bus and coach drivers
- 243 per cent more likely to be taxicab drivers or chauffeurs
- 79 per cent more likely to be packers, bottlers, canners and fillers
- 118 per cent more likely to be security guards or in the related occupations
- 84 per cent more likely to be hospital porters

Black men¹⁶ are:

- 32 per cent more likely to work in 'caring, leisure and other service occupations'
- 28 per cent more likely to work in 'elementary occupations', which are primarily cleaning
- 22 per cent less likely to work as managers, directors or senior officials
- 42 per cent less likely to work in skilled trades occupations

Black women¹⁷ are:

- 12 per cent more likely to work in 'caring, leisure and other service occupations'
- 24 per cent less likely to work as managers, directors or senior officials

Unemployment rates

The unemployment rate for BME workers is persistently higher than the unemployment rate for White workers. Since current records began in 2001, the lowest the percentage gap between the two unemployment rates has been 69 per cent. On average, across the twenty-year period, the BME unemployment rate has been 110 per cent higher (over double) the White unemployment rate.

In terms of unemployment, the pandemic hit BME workers much harder than White workers. BME workers remain significantly more likely than White workers to experience unemployment whatever the economic environment. And unemployment trends during the pandemic bore this out: the unemployment rate for BME workers rose to 9.8 per cent in Q4 2020 compared to 4.5 per cent for White workers. BME women were particularly hard hit by the pandemic, with the unemployment rate for BME women hitting 10.9 per cent in the same quarter.

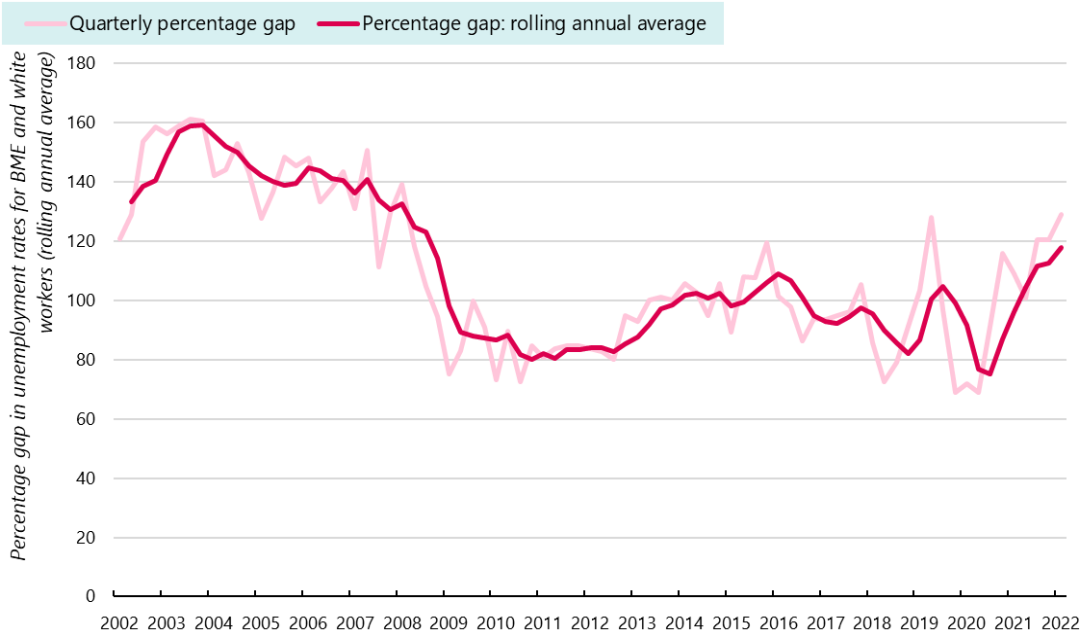
And BME workers did not enjoy the same speed of recovery in unemployment rates that White workers did. A year later, in Q4 2021, the unemployment rate for White

¹⁶ Ibid.

¹⁷ Ibid.

workers had recovered to pre-pandemic levels. In contrast, the unemployment rate for BME workers remained 1.9 percentage points higher¹⁸.

The percentage gap in the unemployment rates for BME and white workers



Source: ONS, TUC analysis

The BME unemployment rate has fallen back to its pre-pandemic level in the most recent data (for Q2 2022), but BME workers were clearly hit harder and for longer by the pandemic. And it's worth noting that the unemployment rate for BME workers remains almost twice as high as it is for White workers¹⁹.

Previous TUC analysis has looked at the impact of the pandemic on BME employment²⁰. It seems that rising unemployment during the pandemic has been driven not necessarily by job losses among BME workers, but more BME people trying to enter the labour market but not managing to find jobs.

¹⁸ <https://www.tuc.org.uk/research-analysis/reports/jobs-monitor-impact-pandemic-bme-employment>

¹⁹ <https://www.ons.gov.uk/employmentandlabourmarket/peopleinwork/employmentandemployeetypes/datasets/labourmarketstatusbyethnicgroupa09>

²⁰ *Jobs monitor - the impact of the pandemic on BME employment*, TUC (2022). Available at: <https://www.tuc.org.uk/research-analysis/reports/jobs-monitor-impact-pandemic-bme-employment>

Experiences of work: hours, living costs and security

In our polling, we asked BME workers about their experiences of work in the last five years. The findings show us that workplaces play a critical role in sustaining and reproducing structural racism.

- Almost one in five BME workers (18 per cent) had to work two or more jobs for financial reasons.
- 15 per cent have worked on a zero-hours contract at some point in the past five years.
- 15 per cent have struggled to earn enough to afford basic living costs.
- 9 per cent have not received sick pay when off work sick.
- 9 per cent have been made redundant at some point in the past five years

Progression, working tasks and unfair criticism and scrutiny

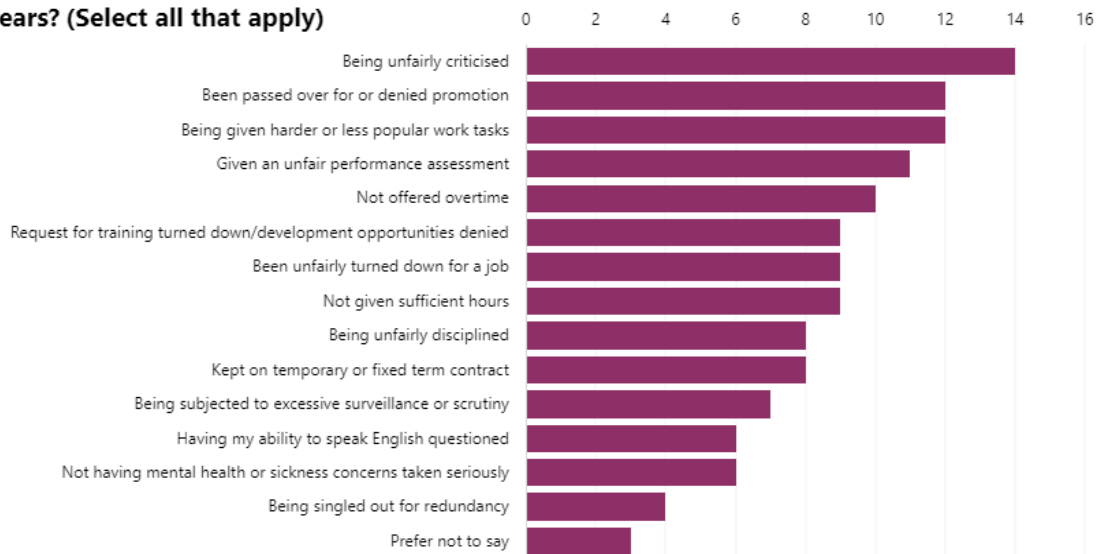
Feeling marginalised, pigeon-holed into specific tasks, or taken advantage of is a common experience for many BME workers. For example, BME workers being assigned less popular shifts (night-time, unsociable hours) than their White colleagues, unequal distribution of labour and holding BME workers more accountable than their White peers²¹.

When asked about unfair criticism and scrutiny in the workplace, one in seven BME workers reported facing unfair criticism (14 per cent) in the last five years. 8 per cent report being unfairly disciplined, and 7 per cent have been subjected to excessive surveillance or scrutiny. This demonstrates how racism instils precarity for BME people in the workplace.

More than one in ten BME workers' experience of work is also affected by being denied promotions (12 per cent) and having requests for training turned down and development opportunities denied (9 per cent). The allocation of tasks and work is also an issue, with 12 per cent of BME workers reporting being given harder or less popular work tasks, and one in ten saying they are not offered overtime. A similar proportion (9 per cent) say that they have not been given sufficient working hours.

²¹ <https://hummedia.manchester.ac.uk/institutes/code/research/projects/racism-at-work/tuc-full-report.pdf>

Which of the following, if any, have you experienced at work in the last 5 years? (Select all that apply)



Source: Number Cruncher polling of 1,750 UK BME workers, conducted online 1 Feb - 1 May 2022

One focus group participant described how racism and xenophobia impacted them:

“She handed me the child’s book and I said ‘no, don’t give it to me. Give it to the teaching assistant when she comes in,’ and she didn’t like that, and she just flung the book at my face. I’m not one of those very, kind of loud and aggressive people and so she felt that, ‘oh she’s just this little woman from India, she hasn’t got a British accent, she’s qualified from overseas.’”

Anti-immigrant sentiment often forms the basis of racist abuse facing BME workers. This does not exist in a vacuum. Indeed, in recent years we have been reminded time and time again, how decades of unrelenting immigration policies, nationality laws and media narratives have created and embedded a hostile environment for ethnic minority people in the UK.

Flexibility, care responsibilities and support for Disabled workers

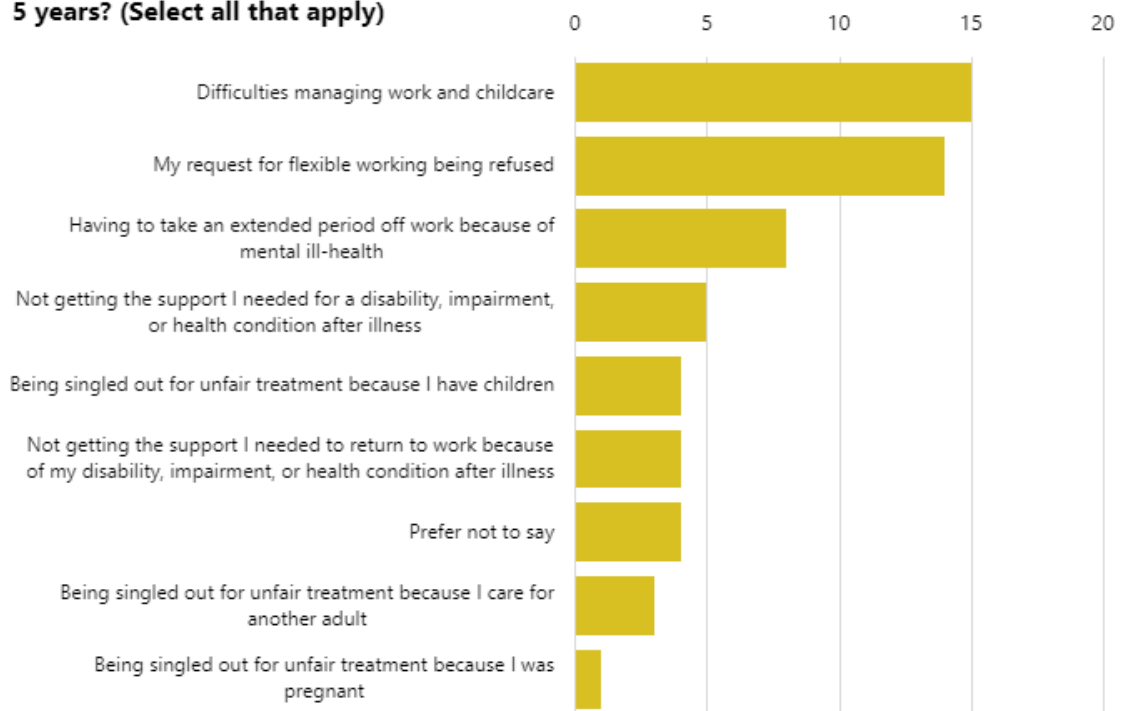
A core way in which the post-pandemic workplace is changing is the desire of many workers for more flexible forms of work – and our research shows BME workers are no exception. And of course, more flexible work has long been needed to support parents, especially women, and Disabled workers to remain in the labour market. TUC research has shown that there is a real appetite among workers for a range of flexible working options. Our research shows more than four out of five (82 per cent) workers in the UK want to work flexibly in the future, rising to 87 per cent amongst

women workers²². Recent ONS data also noted how individuals reported the main advantage of homeworking being “an improvement to work-life balance”²³.

Our polling asked BME workers about their experience of flexible work and managing work alongside caring responsibilities.

- 14 per cent of BME workers have had a request for flexible working refused.
- 15 per cent of respondents said they had experienced difficulties managing work alongside childcare, and around 4 per cent said they have experienced being singled out for unfair treatment because of having children.
- 5 per cent of BME workers have not received the support they needed for a disability, impairment, or health condition after illness.
- A similar proportion (4 per cent) have not received the support needed to return to work after being off due to an impairment, or health condition²⁴.

Which of the following, if any, have you experienced at work in the last 5 years? (Select all that apply)



Source: Number Cruncher polling of 1,750 UK BME workers, conducted online 1 Feb - 1 May 2022

²² [The future of flexible work | TUC](#)
²³ [Business and individual attitudes towards the future of homeworking, UK - Office for National Statistics \(ons.gov.uk\)](#)

²⁴ These figures are a percentage of all BME workers, rather than a percentage of those with childcare or caring responsibilities or Disabled workers.

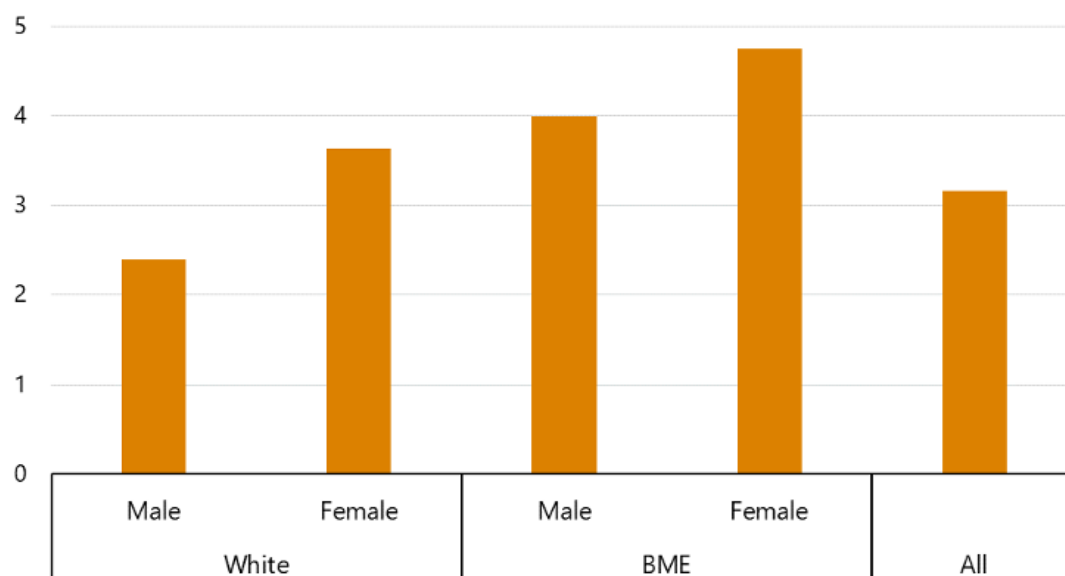
Black workers are more likely to work in jobs and industries where access to home working is limited. That's why we must ensure fair access to all types of flexible working. Flexibility is not only home working but also includes winning shift predictability, flexible start and finish times, job-sharing and proper time off for caring responsibilities.

Insecure work

BME workers are also more likely than White workers to be in insecure work. BME workers, especially BME women, are more likely to be employed on zero-hours contracts (ZHC).

BME employees are also more likely than White employees to be employed on temporary contracts. 10.3 per cent of BME employees were in temporary employment in Q4 2021, compared to 5.5 per cent of White employees. This has grown over the past two years, from 7.9 per cent of BME employees and 4.8 per cent of White employees in Q4 2019.²⁵

Percentage of workers employed on a ZHC



Source: TUC analysis of the Labour Force Survey Q4 2021

Each year, the TUC estimates the number of people in insecure work. When estimating the number of people in insecure work the TUC includes:

- those on zero-hours contracts
- agency, casual and seasonal workers (but not those on fixed – term contracts)

²⁵ Ibid.

- the low-paid self-employed who miss out on key rights and protections that come with being an employee and cannot afford to provide a safety net for when they are unable to work.

The most recent analysis found that BME workers are far more likely than White workers to be in insecure work²⁶. Nearly one in six (15.7 per cent) BME men are likely to be in insecure work. 12.4 per cent of BME women are in the same position, and among employees (excluding the self-employed) BME women are the most likely group to be subjected to insecure work.

Those in insecure work by gender and ethnicity			
Ethnicity	Gender		
	Male	Female	Total
White	11.1 per cent	10.3 per cent	10.7 per cent
BME	15.7 per cent	12.4 per cent	14.1 per cent

60 per cent of all BME workers desire more hours of work compared to 30 per cent who do not and 10 per cent who are unsure. This contrasts sharply with White workers of whom 49 per cent want to work more hours, against 42 per cent who do not²⁷.

“One of the worst things I think that has come out of this last 10 years’ austerity Conservative government is zero-hour contracts. And I feel like, while it’s suitable for some people, I feel like people should opt into it rather than be forced.”

Throughout this report we have seen examples of coercive and repressive workplace practices which serve to silence and disadvantage BME workers. Moreover, the statistics in this section show that the economic circumstances in which BME workers find themselves prevent many workers from challenging workplace racism, which in turn helps to conceal the true nature and extent of the problem.

There is an unequal relationship between employees and employers, with individual workers remaining reluctant to have conversations with their employers for fear that they may face retribution – such as a reduction in hours. This would be especially

²⁶ *Jobs and recovery monitor - Insecure work*, TUC (2021). Available at: <https://www.tuc.org.uk/research-analysis/reports/jobs-and-recovery-monitor-insecure-work>

²⁷ <https://www.tuc.org.uk/sites/default/files/2021-06/RotAreport.pdf>

worrying for those on a zero, or low, hours contract. State systems may reinforce these unequal power dynamics. Previous TUC research has shown that the perceived lack of impartiality of the tribunal system continues to deter many ethnic minority workers from attempting to seek justice²⁸.

This research reinforces how racism is fundamental in determining who gets hired, trained, promoted, retained, demoted, and dismissed. The evidence also further demonstrates that it is wrong to dismiss reports of racism in the workplace. Indeed, racism shapes the class position, class experience and class relations between workers and employers. It plays an important role in explaining why BME people are more likely to be stuck in low-paid, non-permanent, and low-hour jobs.

²⁸ <https://www.tuc.org.uk/research-analysis/reports/lets-talk-about-racism-report>

Working in a pandemic

The social and economic uncertainty that many BME workers have faced since the 2008 crisis has been exacerbated by the Covid-19 pandemic. This can be seen in the differential death rates. ONS figures from 2020 highlighted that Black African men had the highest rate of death involving Covid-19, at 2.7 times higher than men of White ethnic background. Black Caribbean women had the highest rate at two times higher than women of White ethnic background²⁹.

Bangladeshi, Pakistani, and Indian men also had a significantly higher risk of death involving Covid-19 (1.5 and 1.6 times, respectively) than White men once region, population density, socio-demographic and household characteristics were accounted for³⁰.

As the disproportionate death rate of BME people has become clearer, it has highlighted serious issues in our health, employment, and housing systems. **Around one in six BME workers felt they had been put more at risk of exposure to Covid-19 because of their ethnic background.** Many reported being forced to do frontline work that White colleagues had refused to do. Others said they were denied access to PPE equipment, refused risk assessments, and were singled out to do high risk work³¹.

Despite promises made to 'build back better' and recognise the contribution of key workers, employment conditions have not improved for many of those whose contribution was applauded throughout the pandemic.

Challenges for BME workers during the pandemic

The pandemic presented significant challenges for BME workers, who were more likely to be working from workplaces, and more likely to be key workers. A high proportion of key worker jobs in retail, transport, hospitality, social care, and health are made up of people from BME communities.³²

BME workers are twice as likely to be nurses, security guards or bus drivers, and almost 50% more likely to be waiters or waitresses. In addition, Black workers are 40% more

²⁹<https://www.ons.gov.uk/peoplepopulationandcommunity/birthsdeathsandmarriages/deaths/articles/updatingethniccontrastsindeathsinvolvingthecoronaviruscovid19englandandwales/deathsoccurring2marchto28july2020>

³⁰<https://www.ons.gov.uk/peoplepopulationandcommunity/birthsdeathsandmarriages/deaths/articles/coronaviruscovid19relateddeathsbyethnicgroupenglandandwales/2march2020to15may2020>

³¹ <https://www.tuc.org.uk/research-analysis/reports/dying-job-racism-and-risk-work>

³² <https://commonslibrary.parliament.uk/coronavirus-which-key-workers-are-most-at-risk/>

likely than their White counterparts to work in health and social care and account for 20% of all child social workers in the UK. Not only is low pay prevalent in these sectors, but pay growth is incredibly poor in the public sector³³.

Whether it's nursing the sick in hospitals, looking after the elderly in care homes, keeping public transport going or producing and distributing food, BME workers had to go out to work in all kinds of environments, with a higher risk of exposure to coronavirus. The growth of casualised forms of work designed to circumvent employment rights has also increased the risks BME workers face.

While many employers worked constructively with unions throughout the pandemic, others took the opportunity to abuse workers' rights, for example by deploying fire and rehire or failing to pay staff properly. These experiences were reflected in our focus group interviews.

“My financial situation drastically changed as well so I was barely able to afford to eat sometimes. I let them know. Basically, they owed me money, my workplace, and they said that the only way they're able to pay me is when they go into the workplace, because they need to process stuff there.”

Previous TUC research revealed a failure of employers to conduct effective risk assessments. BME workers repeatedly highlighted both a failure to conduct risk assessments and, when they were carried out, a lack of acknowledgement of the increased risks for BME people that they identified³⁴. BME workers working in workplaces through the pandemic felt that even if their workplaces were safe in themselves, travelling still presented risks of contracting the virus.

“I did feel a bit worried because I have four kids of my own... What if I'm going to go into school and what if I contract it and then I'm bringing all this back home as well?”

The legacy of pandemic working from home

Although disproportionately high numbers of Black workers worked from workplaces during the pandemic, significant numbers had to work from home for extended periods, often for the first time. Several studies since the pandemic have revealed that, following their pandemic experience, most employees prefer working partially or totally

33 TUC analysis of Employment by sector data retrieved from gov.uk in July 2022

34 <https://www.tuc.org.uk/sites/default/files/2020-06/Dying%20on%20the%20job%20final.pdf>

from home. However, few studies have looked at BME workers specifically. We wanted to hear from BME workers about their experiences of working from home.

When asked where they've mostly worked since the pandemic began, 36 per cent of BME workers said they'd been working somewhere other than their home and 44 per cent said they'd been working from home. 7 per cent said other, 4 per cent were unsure and 9 per cent said the question wasn't applicable either due to furlough or unemployment.

Of those who mostly worked from home:

- 58 per cent said the experience was positive compared to how they worked before the pandemic
- A third (33 per cent) said the experience had been both positive and negative
- Only 5 per cent said it had been negative

Almost half (46 per cent) said they had been subjected to the same level of surveillance or scrutiny from their employer as before the pandemic. 19 per cent said the level had increased, whereas 22 per cent said it had decreased.

When asked about preferences for long-term working arrangements, the vast majority of home workers (89 per cent) said they wanted to continue working from home for at least some of their working time.

- Almost four-in-ten home workers (38 per cent) want to work from home all the time
- A further 28 per cent want to split their working time evenly between home and a workplace
- 23 per cent want some sort of other combination between working from home and working at a workplace
- Only 5 per cent want a full return to working in an external workplace

Harassment and racism still happen when BME workers are working from home, with a quarter (24 per cent) reporting they experienced harassment while working from home.

The most common forms were:

- Racist jokes or banter (7 per cent)
- Being excluded from work related meetings or conversations (6 per cent)

- Being bullied or harassed (5 per cent) and being made to feel uncomfortable at work (5 per cent)

As we move towards more workplaces becoming 'hybrid', 'a risk that inequalities entrench between those workers who do have positive flexible working rights and those who do not, with Black workers less likely to be afforded the former, with those who work from home having less contact with managers and executives, effectively 'falling out of sight and out of mind'.

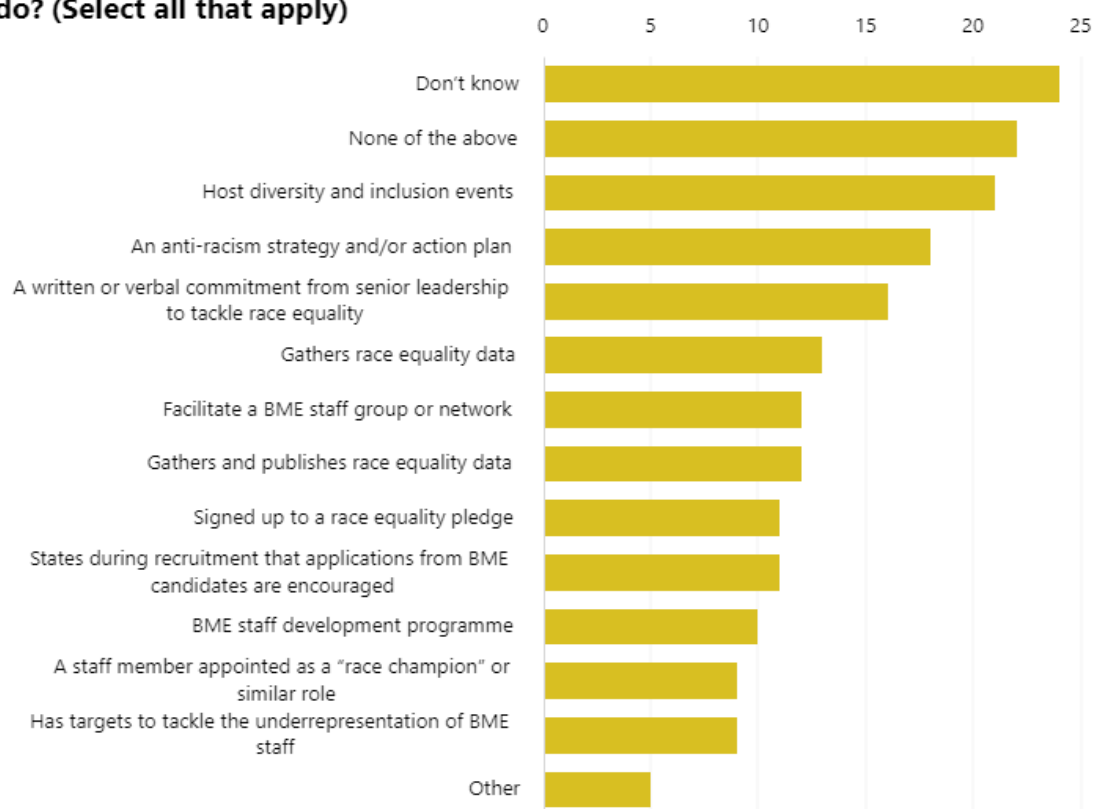
The findings above reveal a clear preference among BME workers for employers to be more flexible – while ensuring that changed working patterns do not exacerbate inequalities. Moreover, it is unsurprising that racism continues, whether people are working remotely or in workplaces. Although increasing flexibility for workers is a positive step, it must not replace the urgent need to address racism in the workplace. Employers must take meaningful action to ensure the safety of their workers, whether they are working at home or in workplaces.

Tackling racism

In the aftermath of the Black Lives Matter protests in 2020, many employers launched diversity and inclusion initiatives. Around half of BME employees said their employer had some form of strategy to tackle racism in the workplace. However, 22 per cent said their employer had nothing in place, and around a quarter (24 per cent) said they didn't know if their employer had anything in place.

21 per cent reported their employer hosted diversity and inclusion events and a similar percentage said that their employer had an anti-racism strategy and/or action plan. Concerningly, only 13 per cent said that their employer collected race equality data. When asked about BME staff development programmes, only 10 per cent said their employer had this in place, and only 9% said their employer had targets to tackle the underrepresentation of BME staff.

Which of the following, if any, [does/did] your employer do? (Select all that apply)

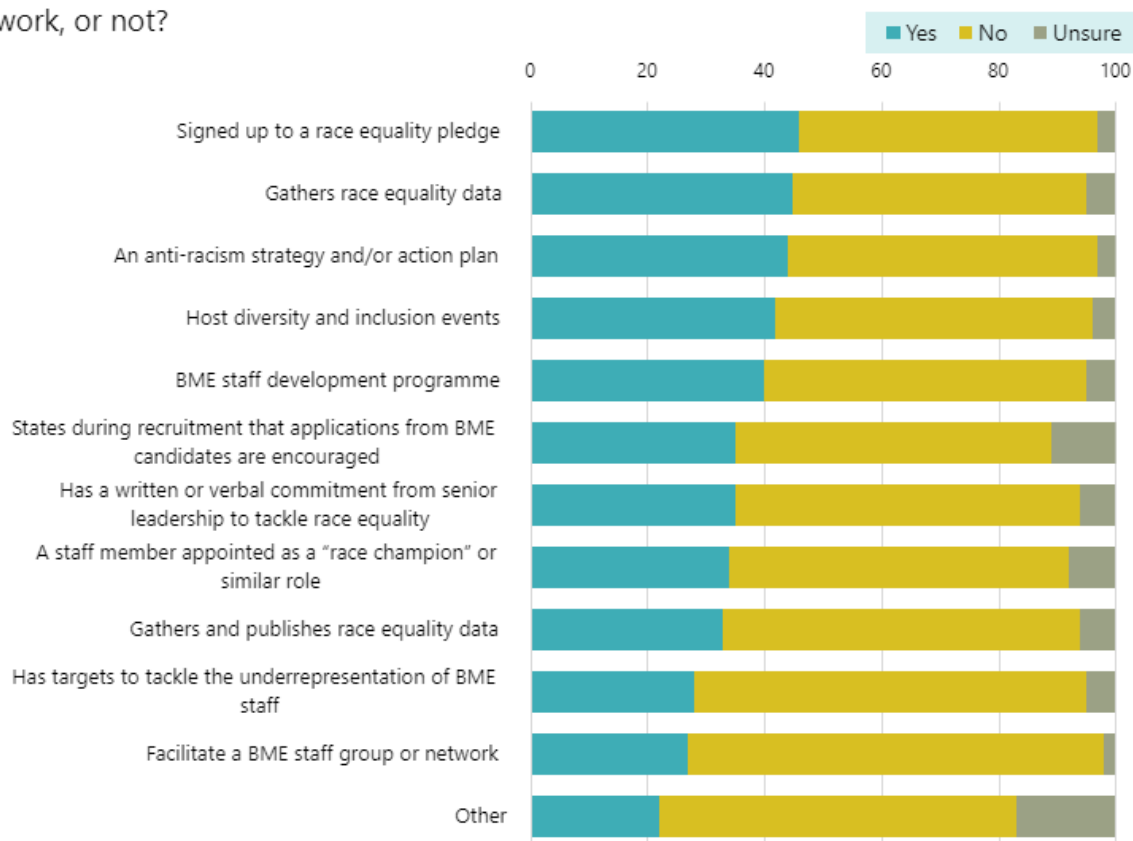


Source: Number Cruncher polling of 1,750 UK BME workers, conducted online 1 Feb - 1 May 2022.
Base: All exc. self employed workers

When workplace race equality actions are in place, around 30-40 per cent of BME employees engage with them. Engagement is higher (40 per cent or more) with race

equality pledges, the gathering of race equality data, anti-racism strategy and action plans, diversity and inclusion events, and BME staff development programmes. For each action the majority of employees feel that it had a positive impact on their experience of the workplace as a BME worker.

Have you engaged with any of the selected action(s)/initiatives at work, or not?



Source: Number Cruncher polling of 1,750 UK BME workers, conducted online 1 Feb - 1 May 2022. Base: employees who said each action takes place at their work

It is clear from the research that significant numbers of employers are launching race equality actions and programmes. Whether or not these initiatives work remains to be seen. BME workers are rightly wary of tokenistic gestures, and more work needs to be done to ensure that *impactful* initiatives, with input from BME staff and subsequent robust evaluation, are introduced. Rather than employers taking part in box-ticking exercises that merely give the illusion that they are tackling racial inequality in the workplace, we need to see meaningful action.

It is important to note that discussing and challenging workplace racism often falls upon BME staff. This places a huge emotional burden on the shoulders of the people who are at the receiving end of this discrimination. Often BME workers are left having to

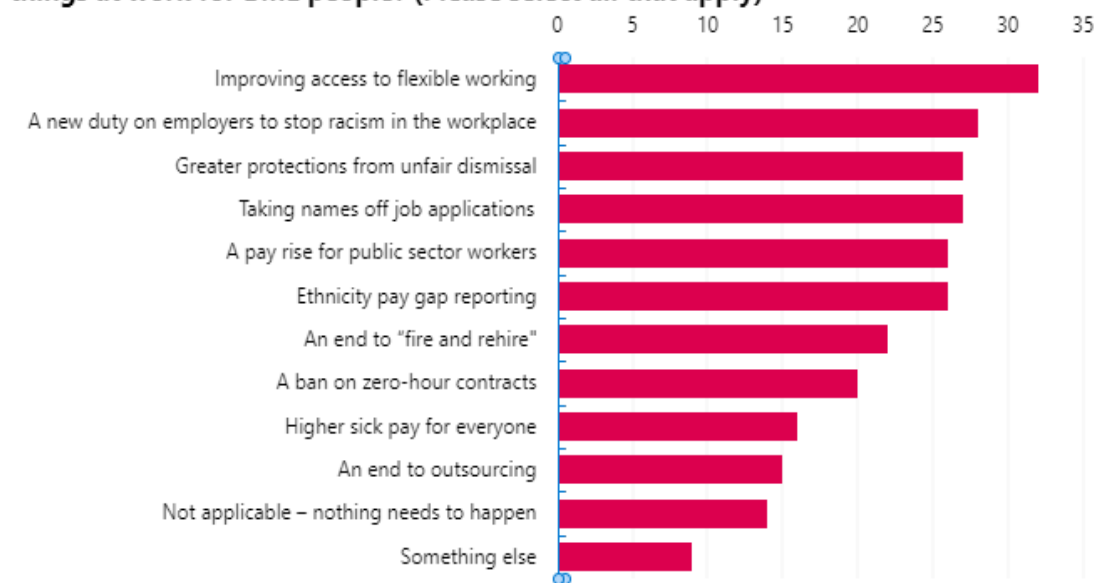
manage and assuage the emotions of White people and the hostile responses they receive when trying to speak up and challenge workplace racism. Too many Black workers experience that their attempts to raise the question of racism with colleagues ends up with the behaviour of the complainant seen as the problem rather than the problem of workplace racism. Whatever our background, race or religion, workers are stronger together. Everybody benefits from anti-racism and fair treatment is everybody's responsibility.

What change is needed?

We asked BME employees which policies and employer actions would improve things at work for BME people. There was no policy that was overwhelmingly popular or achieved even a majority of support. The most popular were:

- Improving access to flexible working (32 per cent)
- A new duty on employers to stop racism in the workplace (28 per cent)
- Greater protections from unfair dismissal (27 per cent)
- Removing names from job applications to stop bias from recruiting managers (27 per cent)
- A pay rise for public sector workers (26 per cent)
- Ethnicity pay gap reporting (26 per cent)

Which, if any, of the following do you think would help improve things at work for BME people? (Please select all that apply)



Source: Number Cruncher polling of 1,750 UK BME workers, conducted online 1 Feb - 1 May 2022.
Base: all exc. self employed

BME women were more likely than BME men to support many of these policies, such as improved access to flexible working, ethnicity pay gap reporting, an end to outsourcing, and a ban on zero-hours contracts. However, BME women were also slightly more likely to say that nothing needs to happen to improve things in the workplace for BME people.

While no one policy gained a majority of support, it's clear that the majority of BME employees agree that something needs to be done. Only 14 per cent of respondents said that nothing needs to happen to improve things for BME people in the workplace.

Conclusion and Recommendations

The TUC Anti-Racism Taskforce commissioned this report to highlight the racism faced by BME workers in the labour market. There is an urgent need to effectively tackle racism and achieve a transformational change in workplace culture. This report gives a platform for the thousands of BME workers who have experienced racism at work to have their experiences revealed and recognised. It exposes the ongoing everyday reality of racism faced by many BME workers – and it demands a response from employers, government, and trade unions.

Above everything, there must be a renewed urgency from everyone to tackle racism at work. Key to the change needed is one of mindset. Too often, racism is only seen as a problem when an individual incident is identified – such as when someone gets abused or treated differently because of their race. What is needed is instead a collective, pre-emptive response from all levels of government and employers that promotes equality and dignity for everyone, gives confidence to all staff that they need not stand for discrimination or bullying and makes dealing with racism at work everyone's responsibility.

Employers

The TUC believes that this change cannot happen without transparency in the workplace. Employers need to collect the information to assess how institutional racism impacts their policy processes and practices. BME workers need to be confident to raise the problems they face within the workplace and that the experiences they relate will be heard and acted upon. Without this, the reality of racism in the workplace will continue to be hidden.

Employers should:

- Work with trade unions to establish a comprehensive ethnicity monitoring system covering ethnicity pay-gap reporting, recruitment, retention, promotion, pay and grading, access to training, performance management and discipline and grievance procedures.
- Work with trade unions to establish targets and develop positive action measures to address racial inequalities within the workforce.
- Ensure they have strong equality, diversity and dignity policy that explicitly includes zero tolerance of racism.
- Make it clear that they will support all staff who raise concerns about racism and act to protect staff who are subject to racial abuse

- Ensure there is a simple method for BME workers to report racism at work, and make sure that BME workers feel confident that complaints about racism will be taken seriously, acted on and dealt with satisfactorily.
- Ensure that all staff know that workers who raise concerns about racism will not be victimised for doing so.

Government

The TUC believes that the majority of measures considered by the current and past governments have concentrated on creating good practice in the public sector but have failed to recognise the need to encourage action in the private sector, which is the largest section of the labour market. Government policy on race relations and employment has mainly been aimed at creating good practice in the public sector on the premise that this will filter to the private sector.

The TUC believes this is a false premise and that if race equality in employment is to be achieved, then discriminatory practice in the private sector, which makes up two-thirds of the labour market, must be tackled. The TUC believes that government needs to have a strong and coherent legal framework that directly addresses the race discrimination experienced by BME communities in the labour market and broader society.

We call on government to adequately fund the EHRC as an independent monitoring body to address the alarming and deeply entrenched racism uncovered in this report. The EHRC and government must work together to ensure the implementation of recommendations outlined and follow this up with an annual mandatory report to Parliament on progress made.

The Government should:

Ensure that the workers at the sharp end of structural racism get a better deal. As outlined above, Black workers are significantly more likely to experience insecure and poor-quality work. Raising the floor of rights for everyone will have a disproportionate impact on these workers and make it harder for employers to operate a two-tier workforce. To achieve this government should:

- Reform the rules on employment status to ensure that all workers benefit from the same employment rights, including statutory redundancy pay, protection from unfair dismissal, family-friendly rights, sick pay and rights to flexible working. To this end, employment status law should be modernised, putting an end to the current two-tier workforce.

- Ban the regular use of zero-hours contracts, and ensure all workers receive adequate notice of shifts, and compensation when shifts are cancelled at short notice.
- We need to give workers stronger rights to speak with one voice and bargain with their employer and give unions access to workplaces to tell workers about the benefits of union membership, following the New Zealand model.
-
- And starting in sectors that are characterised by low pay and poor conditions, we need to create new bodies for workers and employers to come together to set minimum standards and Fair Pay Agreements across the sector, starting with social care.

Ensure that employers have a duty to embed race equality practices in their workplaces. Employers are responsible for taking corrective and preventative action. They must ensure that they take measurable steps to prevent situations in which their employees are at risk of encountering racism. To achieve this, government should:

- Change the law to make employers responsible for protecting their workers against racism by third parties, such as clients, contractors, and customers.
- Introduce race equality requirements into public sector contracts for the supply of goods and services, to incentivise companies to improve their race equality policies and practices, minimise the use of zero-hours, temporary and agency contracts, and promote permanent employment. Companies that do not meet the requirements should not be awarded a public contract.
- Legislate to make private sector companies responsible for promoting equal treatment throughout their activities, just as public sector organisations already are.
- Remove names from job applications to stop bias from recruiting managers.

Ensure that there are swift and effective penalties when workers experience racism. Everyone deserves to be treated with respect and dignity at work. All forms of alleged harassment and bullying must be dealt with seriously and swiftly. To achieve this, government should:

- Re-introduce third-party harassment provisions (section 40 of the Equality Act 2010) to enable BME workers to seek remedy where they have been subject to third-party harassment.
- Reinstate the power for employment tribunals to make broader recommendations.

- Reinstatement of the statutory discrimination questionnaires to enable BME workers to seek information from their employer about potential discriminatory actions.
- Enact Section 14 of the Equality Act 2010 to allow applications of dual discrimination to be heard by employment tribunals.

Enforcement

The TUC believes that an independent Equality and Human Rights Commission (EHRC) with strong promotion and enforcement powers is fundamental to challenging racial discrimination in the labour market and the wider community.

We remain concerned that the relationship between the EHRC and its sponsoring departments has seriously undermined the EHRC's role as an independent body that can challenge and advise the government on race equality matters. The Equality Act 2006, Part 4, s.42 (3) states that 'the Minister shall have regard to the desirability of ensuring that the Commission is under as few constraints as reasonably possible in determining its activities, its timetables, and its priorities'. The TUC believes that the EHRC is subject to inappropriate political pressure and that the considerable reductions in the EHRC's budget have undermined its ability to carry out its role.

To ensure effective independent enforcement:

- The government should transfer responsibility for the EHRC from the Secretary of State to Parliament, through the Justice and Human Rights Commission or Women and Equalities Committee to ensure its independence from government.
- Ensure the Equalities and Human Rights Commission has enough funding to promote workplace anti-racist policies and practices and take more legal cases to make sure the law reflects the nature of contemporary racism.

Trade unions

Unions have an important role to play in ensuring that BME workers have a strong and effective voice at work, and it is crucial that trade unions engage with employers to tackle policies and practices that perpetuate institutional racism in the workplace. To achieve this, trade unions need to:

- Improve training for trade union reps to enable them to identify and effectively tackle racism in the workplace.
- Work with employers to establish a comprehensive ethnic monitoring system covering ethnicity pay-gap reporting, recruitment, retention, promotion, pay

and grading, access to training, performance management and discipline and grievance procedures.

- Work with employers to develop action plans that address racial disparities in their workplaces.
- Work to improve the confidence of BME members in our ability to represent them on all matters, including tackling racism at work.

Support and information

Trade unions

To find out more about trade unions and which is the best for you go to www.tuc.org.uk/join-a-union

Advisory Conciliation and Arbitration Service (Acas)

Acas gives employees and employers free, impartial advice on workplace rights, rules, and best practice: [The law on race discrimination: Race discrimination at work - Acas](#)

CIPD

The professional body for HR and people development: [Tackling racism in the workplace | CIPD](#)

Citizens Advice

Citizens Advice offer confidential advice online, over the phone, and in person, for free: [Race discrimination - Citizens Advice](#)

Equality and Human Rights Commission

This is the UK's national equality body established by the Equality Act 2006: [Race discrimination | Equality and Human Rights Commission \(equalityhumanrights.com\)](#)

Equality Advisory and Support Service

The Helpline advises and assists individuals on issues relating to equality and human rights, across England, Scotland and Wales: [Equality Advisory and Support Service](#)

National Bullying Helpline

The National Bullying Helpline has over 20 years' experience helping employees and businesses with bullying in the workplace: <https://www.nationalbullyinghelpline.co.uk/>

Stop Hate UK

Stop Hate UK provides independent, confidential and accessible reporting and support for victims, witnesses and third parties: <http://www.stophateuk.org/>