



Following the ECJ victory, in March this year, Chancellor of the Exchequer Gordon Brown made much more money available to the FAS. It meant pensioners would get 80% of their pension rights accrued in their pension scheme - a huge step forward.

The government also doubled the maximum amount a pensioner could receive - up to £26,000 - and those pensioners previously excluded from the scheme because the assistance they would get would be £10 or less a week are now to be included. And for those workers not yet at retirement age their assistance will be 'inflation proofed' until they are 65.

The changes resulted in 85,000 more bereft workers coming into the scheme.

But Community continued to battle. Although the ECJ had not ruled the government had to provide the full pensions that workers would have received, the union was determined to secure more.

'Our pressure caused the government to set up a team to review the working of the FAS,' says campaign committee member Pat Wiggins from Sheerness. 'That review is going on now, and they know what we want - 90% - the same as those in the Pension Protection Fund. Had previous governments implemented the Directive, our pensions would have been protected and we would have received 100%. But they failed us, so 90% is what we are after.'

Community General Secretary Michael Leahy has been meeting with the review team who will give a progress report to Community in the summer.

'We'll then see if they're headed in the right direction,' says Pat Wiggins. Pat himself still works at the Sheerness plant, which was

bought from the receivers and is now operated as Thames Steel.

'If they are headed in the right direction, then we'll be content to see the team's final report and recommendations at the end of the year, but if we feel they're not moving our way, we will decide what action to take. We may go back to the courts. I feel we'll get what we are demanding. The government now wants this issue settled.'

Joe Monks, who represents the Cardiff workers on the ASW Campaign Committee, is also hopeful. 'When the company folded in 2002 and we heard we'd lose our pensions we had a huge meeting with Michael Leahy and Rhodri Morgan, the First Minister in Wales.

'We said we had two objectives - to get the works re-opened, which we did when CELSA took over, and to win back our pensions. Well we're nearly there!

'It's been a huge campaign (though I'm not sure everyone realises how hard it has been) and now we want the 90% index linked, the ability to retire early and to commute some of the pension into a lump sum.

'I agree with Pat in Sheerness, if we don't hear that the team reviewing the FAS is moving our way we have to take action again. One thing we can do is to put back the amendment to the Pensions Bill that Cardiff North MP Julie Morgan submitted but then withdrew. This demands the government meets our objectives.'

Five long hard years - from devastated ASW workers hearing that they will get little if anything of their pension to members pleased to be getting 80% and hopeful for more. It's been one of our union's longest, toughest fights. 'The security of members' pensions is vital,' says Michael Leahy. 'That's why we have fought so long and so hard.'

The long, hard fight

Community has been right at the heart of the fight to win back ASW workers' pensions. And, after nearly five years, with many victories won, we update you on this long and tough campaign.

For five long years Community has led the fight for workers who, like those at Allied Steel and Wire (ASW) steel plants in Cardiff and Sheerness, lost all or most of their pensions because their company went bust.

Now those workers, and our union, are nearing the end of the struggle, with a final decision about how much the cheated pensioners can expect to get towards the end of the year.

Currently, 80% of the pension they should have received is going to be made available from the Government's Financial Assistance Scheme (FAS) and although that means a dramatic improvement in the lives of our stricken members, Community is pushing for 90% plus a promise that all the terms and conditions of the failed ASW pension scheme will be met.

'We've won a number of spectacular victories,' says Brian Silver, who chairs the union's ASW Campaign Committee, 'and the big breakthrough came when Community and our fellow union Amicus went to the European Court of Justice (ECJ). The court ruled that successive British governments, through the years, had

failed to properly implement European law which would have protected the pensions of the 1,000 ASW workers.'

In 2004 the Government established that the FAS to give some money to some of the pensioners who lost out, but the money was never going to be enough.

'There were other angles of attack,' Brian said, 'but we always felt that the failure to adequately implement the European 'Insolvency Directive was the strongest one. We went to the High Court and got support from them to go to the ECJ, were we won our case.

'The Parliamentary Ombudsman looked at the situation and charged the government with maladministration., but we always knew that the Ombudsman could enforce a judgement, unlike the Courts.

'There were by then other pensioner groups protesting round the country but all the hard graft, all the tough negotiation was done by Community.'



General Secretary Michael Leahy (front row, third from left) with Community members inside Parliament