Employment and Corporate Practice in Scotland's wind sector

Workers perspective and company survey

January 2025

STUC

Summary

The STUC commissioned Transition Economics to consider whether the wind sector in Scotland is set up to deliver social value and Fair Work by reviewing employment practice and the structure of the projects, with a focus on ScotWind projects and developers.

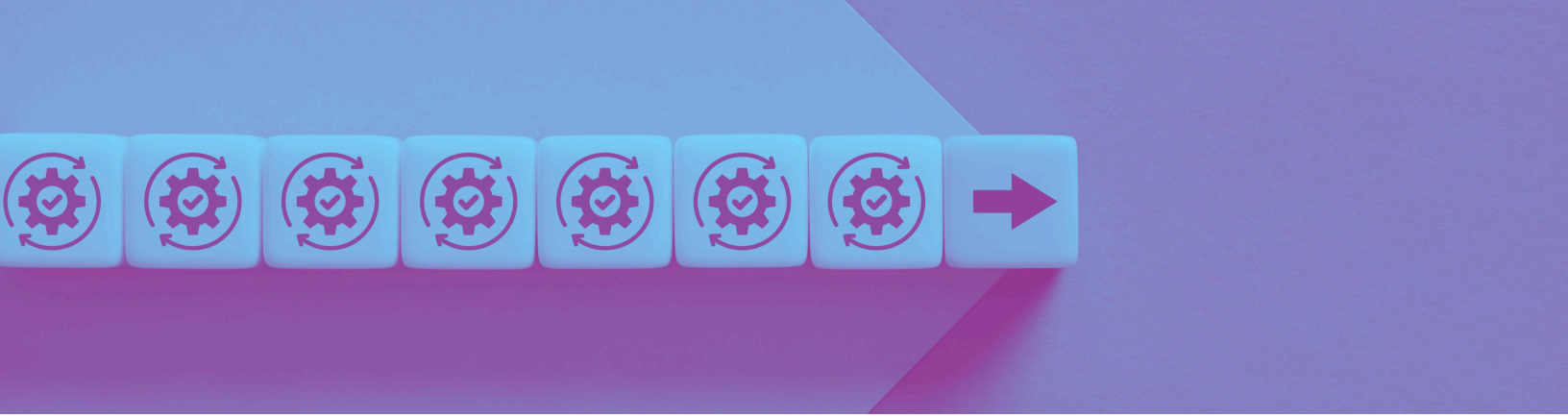
The research involved interviewing workers in the sector and trade union officers experience with wind companies. A survey was also sent to the 25 companies involved in ScotWind projects with questions focused on the Scottish supply chain, employee voice, and working conditions.

The findings provide a clear picture of a sector which is resistant to trade union engagement and has a checkered history with respect to workers rights. The fragmented way that wind farms are built with multiple contractors is one important reason for these issues and requires tighter regulation.

The ScotWind leasing round comprises 20 projects in which 25 companies have some level of ownership. There are companies which may be recognisable, but many lack a public face in Scotland, and will likely subcontract the majority of work to build the project.

Addressing the issues identified in this report will require intervention and regulation. Based on the research carried out by Transition Economics, the report concludes with a series of recommendations. **The STUC is calling for the Scottish Government to:**

- Facilitate tripartite negotiations with trade unions and wind industry representatives
- Set Fair Work and Just Transition conditions across leasing, planning applications, and public investment for offshore and onshore wind projects
- Build greater public ownership of new energy projects at a national and local level to drive higher standards and rebalance ownership away from multinationals
- Support reform of employment law to establish universal standards and minimum wage floors in the energy sector and create clearer structures for collective bargaining in the wind sector.



Introduction

In 2022 the Scottish Government announced that the ScotWind Leasing Round would be "transformational in delivering wider economic supply chain benefits to help power Scotland's green recovery the length and breadth of the country."[1]

By adding close to 30 GW of new offshore capacity, a 14-fold increase on current deployment levels, these projects certainly have transformational potential.

However, as previous analysis published in April 2024 shows, a huge scale up in Scottish manufacturing capacity for offshore wind components is required, from a standing start of zero significant fabrication sites to 19, if developers are to come good on the supply chain commitments, and subsequent job creation, submitted as part of the ScotWind process.

This briefing moves beyond job creation and infrastructure investment, and focuses on whether the projects are set up to deliver social value and Fair Work.

We review the track record of the Scottish and UK offshore wind industry and companies involved in the ScotWind projects, and question whether the growth in the offshore wind sector will, under the current regulatory landscape, deliver the kinds of benefits to workers in communities in Scotland that the Scottish Government has promised.

Our analysis is informed by interviews with trade unions affiliated to the STUC, a survey of ScotWind companies, and desk research.

The ScotWind Process

The ScotWind bidding process involved companies competing for the rights to develop offshore wind farms in Scottish waters, with the auctions managed by the Crown Estate Scotland.

The application process required bidders to submit a Supply Chain Development Statement (SCDS), setting terms of expenditure disaggregated by project stage and by geographic location.[2]

The leasing process did not impose any requirement on the level or location of anticipated expenditure, and the SCDS was not used in the assessment or scoring of applications.

While the SCDS are intended to be binding on bidders, with project developers fined or subject to removal of their development option for not meeting their commitments, in practice the fines are so low (£250,000) and the threshold for removal of the development option so high (achieving just one quarter of promised investment is sufficient to keep the option), that there is little incentive for developers to honour their commitments.

Otherwise, commitments in the ScotWind process to ensure the sustainability of offshore wind development cover only the advertising of opportunities for sub-contractors and suppliers, engagement with a newly established supply chain forum, regular meetings with economic development agencies, and the provision of supply chain information to the Crown Estate Scotland.[3]

The ScotWind process included no specific requirements, or even the provision of information, with respect to worker representation, trade union engagement, or other aspects of job quality.

ScotWind Company Survey

Transition Economics contacted 25 companies that have won ScotWind leases with a survey.[4] The survey included questions about the domestic supply chain, employee voice and working conditions in the offshore wind sector.

The surveyed companies were provided with the option to have their answers attributed, or to respond anonymously. Six weeks was allowed for a response, with two reminder notifications sent, and the initial proposed deadline for response was pushed back to allow companies more time.

Only one of the surveyed companies part-completed the survey, and asked for their response to remain unattributed.

Two companies replied to note that they would not respond, but were happy to meet with the STUC to discuss their plans.

One of these companies noted internal capacity constraints as a reason not to respond, having only 3 members of staff. As a partner organisation in an offshore wind project requiring £100s millions of capital investment, this in itself speaks to the fragmentation of the sector explored in this report.

One further company replied to say they would not be able to complete the survey. No other responses were received.

Trade union interviews

I**nterviews with STUC affiliates confirmed that some energy companies with collective bargaining agreements in older business divisions, such as retail, transmission and distribution, are hostile to collective bargaining within their renewables arms.**

Scottish Power is highlighted as an example, and this despite Scottish Power's parent company Iberdrola having extensive collective bargaining agreements with employees in Spain.

One interviewee mentioned speaking to Spanish colleagues who were "shocked" that senior engineers working in Scotland would not be covered by collective bargaining.

Equinor were also highlighted as a company with union recognition in oil and gas, but hostile on the renewables side in the UK. And this despite collective agreements being core to Equinor's tripartite cooperation model between government, industry and trade unions in its HQ country Norway.

Interviewees noted an attitude, prevalent among company management, that renewables are a "new" or "dynamic" industry, for which they claim collective bargaining is not appropriate.

Interviewees noted that the renewables sector does not benefit from the culture and expectations established in the offshore oil and gas sector, an industry which dates from the 1970s in which half the working population were members of a trade union[5] (notwithstanding that terms and conditions have been eroded in the fossil fuel sector in recent years).

One interviewee noted a reluctance of renewables employers to "import" expectations on pay and terms and conditions from offshore oil and gas into renewables, which was a disincentive to move workers across sectors and therefore part of the wider barrier to achieving a just transition.

One interviewee noted that management within renewables divisions foster an elitist culture where they "do their own thing" and "don't want other people coming in and criticising how things are done".

Given that renewable energy is a growth sector in which skills and experience are highly sought after, this attitude may present less immediate problems for those in higher paid, senior managerial roles, where employees can secure competitive terms by moving between employers, headquartered in a handful of cities.

However, it becomes problematic for employees on the operational side and within supply chains, where there is less job mobility due to the diverse location of sites, and the greater fragmentation of the sector further down the supply chain.

Interviewees noted the impact of lack of union recognition, from increased health and safety risks, to employees doing the same work on vastly different pay, pension and health insurance packages.

As one interviewee noted "those that push the hardest get the bigger salaries", exacerbating pay inequality along gender lines.

Another observation was that renewables workers in Scotland and the UK risk becoming the poor relation of their counterparts on mainland Europe where union recognition is compelled by regulation and/or an integral feature of state-owned enterprise.

This likely results in Scottish employees working within the same international companies, but experiencing worse pay, less job security and fewer health and safety protections

Scottish Power's position was contrasted with SSE, who have reached an agreement to bring offshore wind workers under collective bargaining.

EDF and RWE were also highlighted for reaching an agreement to bring their offshore wind workers under collective bargaining, although neither currently hold stakes in any of the ScotWind projects.

Interviewees noted the benefits that collective bargaining agreements offer companies as well as their workforce, supporting health and safety committees and undertaking joint reviews of roles.

Orsted was highlighted as a good example in one interview, with a recognition agreement that will cover all employees involved in the operation and maintenance of its UK offshore wind farms, although it does not extend to the supply chains and outsourced phases of development.

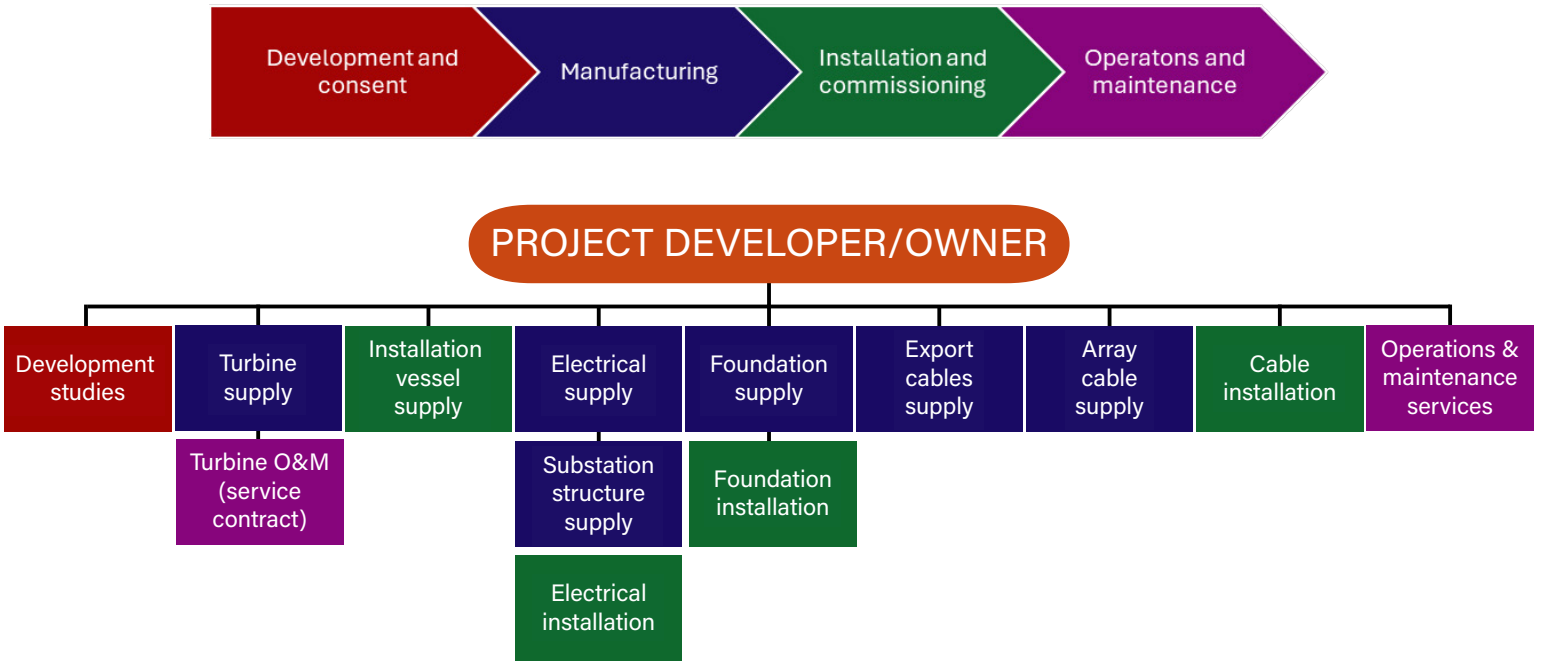
Despite the criticism levelled at large energy companies that refuse trade union recognition in their renewables arms, interviewees agreed that "companies which have a face are more likely to have good employment policies", with redundancy policies, holiday and sick pay policies agreed at the group level.

This experience contrasts with new market entrants "that are essentially investment vehicles rather than established energy companies".

Interviewees noted that the level of opaqueness in the offshore wind sector, characterised by multiple subcontracting tiers, makes it difficult to engage with employers.

Offshore wind project structures

Offshore wind projects are complex, involving multiple technologies and capabilities, with the project supply chain broken down into a multi-contract structure. This typically involves eight to ten packages for design, manufacture, installation, operations and maintenance, as illustrated below:



Adapted from ORE Catapult, An Innovators Guide to the Offshore Wind Market

In addition to contractual division by project phase and component, offshore wind projects typically have multiple tiers of subcontracting within each component and phase. At the top of the contracting chain will be the offshore wind developer, which may be an energy company or a consortium of companies and investors that will form a special project vehicle (SPV).

Beneath the SPV will be a hierarchy of tier 1 contractors (large companies that assemble components into the final wind turbines, like Siemens Gamesa), tier 2 sub-contractors (e.g. civil engineering contractors, or suppliers of component parts), and tier 3 sub-sub contractors (e.g. smaller specialist service suppliers and sub-component suppliers).

Tier 3 sub-contractors will often themselves rely on multiple subcontracting tiers.[6] The tier structure is deepened still further where workers are encouraged to set up as consultants and work in quasi self-employment (e.g. a 2021 Offshore Wind Industry Council report estimated that 57% of the construction services workforce was self-employed).[7]

Complex structures present challenges for securing competitive pay and good terms and conditions. Fragmentation into smaller company structures:

- Makes it difficult for employees to compare pay across equivalent roles
- Inhibits collective negotiation at the project level
- Reduces opportunities for redeployment when projects come to an end
- Where smaller companies can more easily form and dissolve, weakens the relationship between employer and employee and the commitment companies have to their workforce.

A large number of subcontracting tiers makes it harder for public bodies to implement conditions attached to licencing or public funding. For example, the SPV may commit to pay levels and terms and conditions that do not cascade down through the supply chain, or that extend only to their Tier 1 main contractors.

Enforcement of minimum standards is made more difficult by the challenge of monitoring multiple structures, and the blurred lines of responsibility created by each subsequent contracting tier.

In the context of ScotWind, these challenges are exacerbated by the variety of companies involved across the 20 projects. The majority involve joint ventures between two or more companies, with headquarters across 15 different countries.

WIND FARMS	PARTNERS (COMPANIES)	INVESTMENT IN SCOTLAND
1 Morven	BP / EnBW	16%
2 Ossian	SSE / Marubeni / Copenhagen Infrastructure Partners	46%
3 Bellrock	BlueFloat Energy / Renantis Partnership	43%
4 Campion Wind	Scottish Power Renewables / Shell	41%
5 Muir Mhor	Vattenfall / FredOlsean Seawind	13%
6 Bowdun	Thistle Wind Partners (Qair Marine, DEME, Aspiravi)	21%
7 Ayre	Thistle Wind Partners (Qair Marine, DEME, Aspiravi)	36%
8 Stromar	Orsted / BlueFloat Energy / Renantis Partnership	45%
9 Caledonia	Ocean Winds (EDP and ENGIE)	51%
10 Broadshore	BlueFloat Energy / Renantis Partnership	47%
11 MarramWind	Scottish Power Renewables / Shell	40%
12 Buchan	Bay WAre / BWIdeol / Elicio	63%
13 West of Orkney	Total / RIDG / Corio Generation	23%
14 Havbredey	Northland Power / ESB	25%
15 Magnora Talisk	Magnora / TechnipFMC	45%
16 Spiorad Na Mara	Northland Power / ESB	26%
17 Machair	Scottish Power Renewables	33%
18 Arven South	Ocean Winds / Mainstream Renewable Power	64%
19 Arven	Ocean Winds / Mainstream Renewable Power	62%
20 Stoura	ESB	15%

Track record of the UK and Scottish Wind Sector

Job creation

It is widely acknowledged that to date, offshore wind has been a "squandered opportunity"[8] in that domestic renewable industries and jobs have not emerged at scale.[9] This is despite the UK's leadership researching and developing new renewable technologies, the huge natural advantage of long coastlines and windy, shallow seas, large levels of public finance support, and the UK's position before 2021 as the largest global installer of offshore wind (now second largest behind China).[10]

In the UK, local content in a typical offshore wind project is just below 50% across all stages of development. Analysis from 2021 showed Scottish content in Scottish projects is 44% and negligible in non-Scottish UK projects.

Scotland (and the UK more generally) captures the work that needs to be done locally, but has not benefited from the construction and manufacturing that can be easily conducted beyond Scotland's borders.[11]

Local content is highest in the development and project management side (80% for UK, 66% for Scotland for Scottish wind farms), and Operations & Maintenance (81% for UK, 71% Scottish content for Scottish wind farms), where much of the activity is close to the wind farm sites.[12]

In contrast, local content is much lower in the construction and manufacturing side (only 9% for Scotland on Scottish projects),[13] and it is in manufacturing where the majority of jobs, and longer-term jobs, are generated.[14]

Local content is also low for decommissioning (30%) - and this is likely to fall with the advent of larger wind turbines.

A developed domestic offshore wind manufacturing and decommissioning capacity would enable the UK to access significant export opportunities, but the UK has not capitalised on its position as the world's second largest market for offshore wind to develop these domestic industries and skills bases.

This position contrasts with other countries like Denmark, Germany and Spain, where the value of wind turbine production is between 10-30 times greater than the UK, despite these countries having significantly smaller domestic markets for offshore wind.[15]

For more on the importance of securing manufacturing work for long-term and quality jobs in the wind sector, see our earlier report on investment required to deliver on ScotWind developers supply chain commitments.[16]

Salary levels

There is mixed data emerging on job quality within the renewable energy sector. The IEA has noted that due to lower rates of unionisation, among other factors, wages in the renewables sector tend to lag behind those in fossil fuels.[17] This is particularly marked in the US,[18] though there is evidence that this can also be the case in the UK, with significant salary dip when comparing like-for-like professions in offshore oil and gas compared to offshore wind.[19]

Further, the application of a basic wage floor has been an ongoing problem in the offshore wind sector. As evidenced below, migrant workers in Scotland have been paid a fraction of the minimum wage for construction and maintenance.[20]

The National Minimum Wage (Offshore Employment) (Amendment) Order 2020 extended minimum wage rights to all seafarers working from a UK port to an offshore energy site on the UK continental shelf, but guidance published in 2022 excluded the offshore wind sector from these protections.[21]

Evidence of ongoing abuses exist in the sector,[22] and until recently the Offshore Wind Workers Concession (OWWC) allowed migrant workers, typically on worse terms and conditions, to work in UK territorial waters without a work permit or visa.[23]

Job security

There is a perception that jobs in the renewables sector in the UK are "marked by insecurity".[24] This reflects the higher prevalence in the UK of jobs in the temporary installation stage than in manufacturing, the fragmentation of the renewables sector, and a long term trend in offshore energy (including oil and gas) towards self-employment and off-payroll (IR35) contracting,[25] in contrast to the secure employment contracts enjoyed by previous generations.

Skills and learning opportunities

The casualisation of the offshore energy workforce, combined with lack of government support, means that the majority of offshore energy workers pay training costs out of their own pocket, covering both course fees and working time lost to gain essential qualifications.[26]

As part of the North Sea Transition Deal the offshore oil and gas sector has committed to "create an integrated people and skills plan, with measurable objectives, to support its transition and diversification."[27]

The Action Plans for this strategy are focused on skills, including aligning offshore technical, safety, and survival standards.[28] However, the planned delivery has been repeatedly delayed, in part due to the offshore wind standards body, the Global Wind Organisation.[29] There is also no specific commitment from oil and gas companies to provide retraining and reskilling for their workforce or on renewables companies to support the redeployment of oil and gas workers in the sector.[30]

Oil and gas workers face costly duplication of qualifications, running to thousands of pounds, if they wish to work in offshore wind. This causes financial strain and job insecuity affecting thousands of workers in offshore engineering, diving, and seafaring roles.

Working conditions

The energy sector is inherently hazardous, with deaths and serious injuries occurring in onshore wind, offshore wind and solar from working at height, exposure to hazardous environments and other risks associated with construction.

This is particularly the case for offshore work. Injury rates in offshore wind are three to four times worse than offshore oil and gas, according to a 2024 international study based on industry data,[31] with some industry acknowledgement that safety standards in offshore wind have lagged behind oil and gas.[32]

In the offshore oil and gas sector, there is evidence that workers can face reprimands and other negative consequences, such as blacklisting, from raising serious health and safety issues, with whistleblowing protections not applying to self-employed or off-payroll workforce.[33] Examples of worker exploitation in the Scottish offshore wind sector are detailed below.

Company	Offshore wind farm	Detail
Fugro Scout Seafarer	Fugro Scout serves a number of offshore wind farms, including the ScotWind Ossian project	A 2022 contract shows a seafarer being paid an hourly rate less than the UK national minimum wage, as well as pay deductions for onboard accommodation.
Ben Nevis Seafarer	An offshore supply ship serving multiple sites	Detained by the Maritime and Coastguard Agency in Aberdeen in 2020 and again by Dutch maritime regulators the same year for failure to pay outstanding wages owed to the 15 crew members – an infringement of the Maritime Labour Convention. Two contracts from 2021 show seafarers being paid an hourly rate less than the UK national minimum wage.
SKN Electrical Services	Seagreen Offshore Wind Farm	Workers on this project are being encouraged to set up as consultancies or register with umbrella companies, as evidenced by a 2022 contract. This contract enables the contractor to sub-contract or assign any aspect of the services to a third party, and presents a threat to basic employment rights from working for an unregulated employment intermediary like an umbrella company. This is unsafe and undermines standards, such as rates of pay negotiated in the Energy Services Agreement.
Siem Day Vessel	Moray East, Seagreen	Contracts from 2021 and 2022 reveal pay below the UK national minimum wage.

Corporate record of ScotWind companies

ScotWind companies include large energy companies with a patchy track record regarding the treatment of customers in their retail arms. The below table highlights just some examples from recent years of bad practice in the public record that ScotWind companies have engaged in.

Company	Examples
SSE	Fined £10.5m for "prolonged and excessive" mis-selling scandal. Among energy companies facing a £2bn legal claim from millions of businesses and community groups over allegations they paid "secret commissions" to energy brokers and passed on the cost to billpayers, inflating customers bills. Investigated by Ofgem for unfairly switching customers onto prepaid meters. Forceful, doorstep mis-selling of products to customers.
Scottish Power	Fined £18m by Ofgem for overcharged customers, and failing to correct errors when customers complained, and started debt collection on inaccurate bills. Accused of 'cruel' harassment of householders over debts they don't owe. Used warrants to enter homes to forcefully install prepaid meters. Fined for overcharging customers during the height of the energy crisis. A whistleblower has claimed that call handlers working on behalf of Scottish Power are told to threaten customers with debt enforcement - even over mistaken bills.
Shell	Retail arm accused of overcharging customers. First Utility (owned by Shell) fined for overcharging customers.
Vattenfall	iSupply (owned by Vattenfall) fined for overcharging customers.
Ocean Winds	ENGIE (owner of Ocean Winds) among energy companies facing a £2bn legal claim from millions of businesses and community groups over allegations they paid "secret commissions" to energy brokers and passed on the cost to billpayers, inflating customers bills. ENGIE (owner of Ocean Winds) overcharging customers.
ESB	Overcharging households for a decade in Ireland. Every household in Ireland to receive 50 Euros compensation from ESB in response to overcharging.

STUC Recommendations

In the coming years, the scale of offshore and onshore wind in the pipeline across Scotland will require thousands of workers. A domestic wind industry should provide an opportunity to create pathways to a just transition for workers in Scotland's oil and gas sector.

However, there has too often been an assumption on the part of the Scottish Government that wind projects will deliver huge numbers of high quality jobs without regulation or conditionality. The ScotWind leasing process included insufficient provisions to stimulate job creation in Scotland and ensure that the jobs which are created, are high quality jobs.

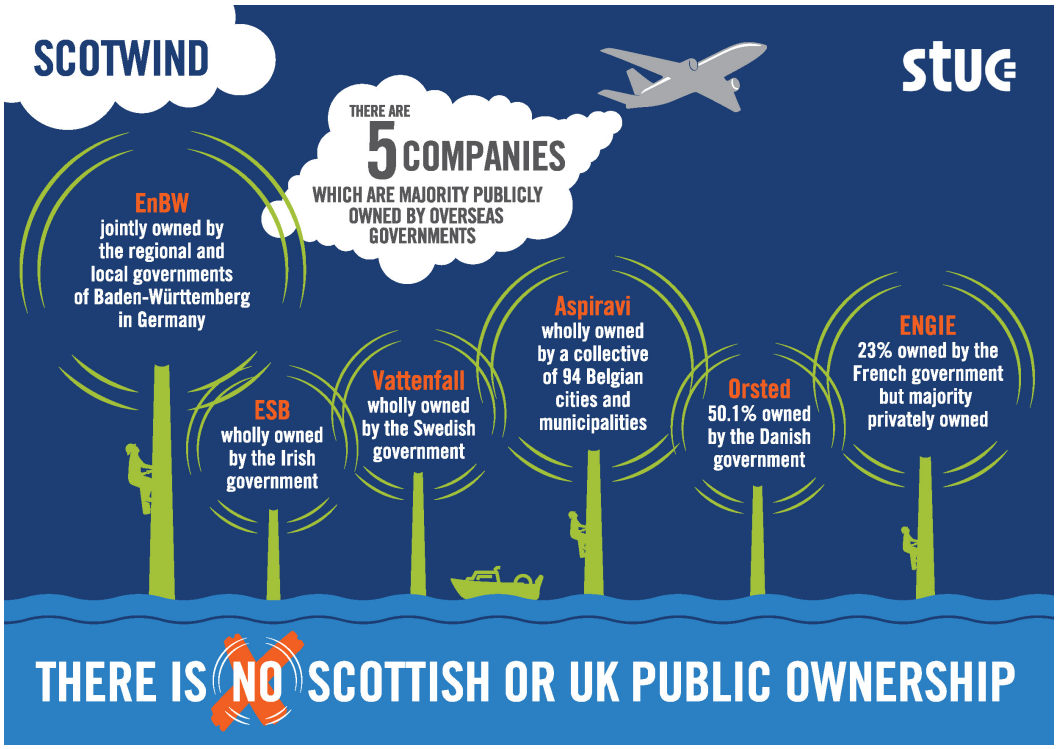
This report summarises why the Scottish Government should not be complacent that economic and social benefits will emerge by effectively leaving the market to itself. Reasons for concern include:

- A poor track record of trade union recognition with the UK's offshore wind sector. The unresponsiveness of ScotWind companies to a survey on trade union engagement is not reassuring in this regard.
- Fragmented project and ownership structures in the offshore wind sector that weakens the bargaining power of workers and presents transparency and accountability hurdles.
- A track record in the UK and Scottish offshore wind sector which includes salaries below the minimum wage, exploitation of migrant labour, high rates of self-employment and low commitment to worker training.

To achieve the "transformational" economic and social objectives that the Scottish Government has set out, and which the offshore wind sector has, in theory, the ability to deliver, will require a far more proactive approach.

The Scottish Government should:

1. **Facilitate tripartite negotiations with trade unions and wind industry representatives, including;**
   a. Bringing trade unions into the Scottish Offshore Wind Energy Council (SOWEC)
   b. Establishing a Fair Work and Just Transition subgroup in SOWEC chaired by the trade union representative on the Council.
   c. Ensuring access and parity with industry representatives in all other areas of policy development for the sector, with the Onshore Wind Sector Deal an example of where trade unions have not been engaged alongside industry.[34]



2. Set Fair Work and Just Transition conditions across leasing, planning applications, and public investment for offshore and onshore wind projects, including;

a. Crown Estate Scotland seabed leasing rounds and as part of the biennial Supply Chain Development Statement updates from projects already awarded leases.
b. Planning applications for offshore and onshore wind such as the Section 36 consents for offshore works approved by Scottish Ministers and consents for onshore works approved by the relevant local planning authority.[35]
c. Developing a Scottish equivalent to the UK Government's proposed "British Jobs Bonus" to ensure public investment such as the £500m Offshore Wind Investment Programme and support from public bodies like SNIB or Scottish Enterprise, provide support to projects with clear commitments on Fair Work and Just Transition.

3. Build greater public ownership at a national and local level of new energy projects, including;

a. Creating a national public energy company to drive higher standards in the sector, rebalance ownership away from multinationals, and creating funded just transition pathways for oil and gas workers in consultation with their trade unions.
b. Setting a specific GW target and providing a commensurate level of resources (both capital and revenue) for local authority energy ownership.
c. Enabling existing public bodies such as the SNIB and Scottish Enterprise, as well as funding opportunities like the Just Transition Fund, to support public ownership.

4. Support reform of employment law to establish universal standards and minimum wage floors in the energy sector and clearer structures for collective bargaining in the wind sector including;

a. Changes to the UK Government's Employment Rights Bill to improve subcontracting practices within the offshore sector and mandate collective bargaining of wind projects at a sectoral, project, or developer basis.
b. Establishing a best practice approach for employers building on the existing Energy Services Agreement between trade unions and fourteen contracor companies in the oil and gas sector.
c. By laying out how it would use devolution of employment law to improve Fair Work practices in the offshore sector.

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