

let us
work for
a better
future
drop the
Trade
Union Bill

1

September 2015

UNISON activist briefing

The attack on health and safety

UNISON is campaigning against the Trade Union Bill because we believe MPs should be focusing on the real problems our country faces and working with everyone, including trade unions, to solve them. We believe this is the priority rather than taking away people's right to be supported at work in England, Scotland and Wales.

This Bill heaps red tape and bureaucracy on to trade unions, proposing to use agency workers to break strikes and bringing in voting thresholds for industrial action ballots - all of which will undermine the work we do on health and safety.

Union workplaces are safer workplaces. Every year more than 10,000 union health and safety reps are trained to raise safety concerns in the workplace. Health and safety committees and collective bargaining arrangements all help keep our workplaces safer and leads to far fewer accidents at work. According to research from the DTI (now BIS – the government department for Business, Innovation and Skills) in 2007, union safety reps save taxpayers between £181 and £578m every year by reducing lost time from occupational injuries and work-related illnesses. This work will be damaged by the cumulative effect of the Trade Union Bill which will weaken collective bargaining around health and safety.

Key concerns affecting health and safety

- There will be new requirements on unions to publish the percentage of money spent on facility time and taken up with different trade union activities.
- The government will have the power to introduce a cap on the amount of money public authorities can spend on facility time. The cap could also apply to different trade union activities including health and safety.
- Restrictions on the right to strike, including a 50% participation threshold in all industrial action ballots and a further 40% yes vote threshold in 'important public services' such as health and education (in effect an 80% vote in favour of action) will limit trade unions' negotiating and bargaining power.
- Dealing with the red tape and bureaucracy around industrial action and disputes will divert trade unions away from core health and safety work in the workplace.
- Employers will be allowed to bring in agency workers when their employees are on strike which raises a lot of health and safety issues.
- New powers will require all public sector employers to publish information on the amount of money used for trade union facilities, including paid time off for local representatives.

Damage to public services and health and safety

The government has tried to use health and safety as an argument for imposing industrial action ballot thresholds. However, far from placing the public at risk, trade unions play a vital role in protecting public services, driving up health and safety not just for staff but also the public. Trade union activity is one of the best guardians of public safety and high quality services.

Examples

- UNISON recently organised in a university by campaigning for recognition and a living wage for cleaning staff. The branch discovered that only a fixed number of the cleaners were being provided with adequate footwear when cleaning up spills of often noxious liquids as the cleaning company was expecting the cleaners to share one pair of protective shoes between them. UNISON organised an online petition and distributed a leaflet highlighting the footwear issue and linking it to a claim for the living wage. The university was embarrassed to find out that the cleaners were not getting the right footwear and a few days later the cleaning company not only agreed to provide the correct footwear, but also started paying the living wage.

3

UNISON activist briefing

The attack on health and safety

- UNISON health and safety activists play a vital role keeping workplaces safe. In one local branch tackling violence at work struck a chord with members and non-members alike. Running a bite size training day allowed the union to identify and win compensation for three members who had experienced violence at work. It prompted members to become health and safety reps and uncovered long standing issues of violence from service users and around lone working and lack of back up for employees. This activity helped the branch organise members and forced the employer to recognise the union and engage in negotiations to create a safer working environment and prevent costly legal actions.
- Proposals to restrict facility time and set caps on the kinds of activity trade union representatives can spend their time on for local reps in the public sector will damage this vital work. The Bill also subjects trade unions to unprecedented levels of civil and criminal penalties, regulations, technical and monitoring requirements. This will divert trade union resources away from supporting members and organising for health and safety.
- Using agency workers to break strikes. The proposal to use agency workers during strikes undermines the right to strike and could impact on the safety and quality of the services normally provided by trained and qualified staff. Under UK law, agency workers are not protected from any detriment if they refuse an assignment because they do not wish to replace striking workers. They could find themselves being asked to replace a striking worker without the proper support, induction and directions from permanent colleagues that they need in order to perform their tasks well and in a safe way. This will put them in an impossible and unfair position where their safety and that of service users may be compromised. Emergency procedures could also be compromised by agency staff not given appropriate training, particularly in workplaces with complex evacuation procedures such as hospitals, colleges and schools.

For further information, contact

Narmada Thiranagama
Policy Officer
UNISON
n.thiranagama@unison.co.uk

let us
work for
a better
future
drop the
Trade
Union Bill

4

UNISON activist briefing

The attack on health and safety