

Safety Reps Rights

Unite safety reps are a key part of providing better health and safety for Unite members at work. Safety reps have specific rights enshrined in law, which enable them to:

- Inspect the workplace regularly.
- Investigate employee complaints concerning health and safety issues at work.
- Investigate accidents, dangerous occurrences and potential hazards.
- Represent workers on health, safety, and welfare matters to their employer.
- Inspect health and safety documents.
- Receive information from HSE Inspectors.
- Establish a joint union-management Safety Committee.
- Receive time off to fulfil these rights and receive training.

Employers are required to consult safety reps, especially about:

- Measures introduced at a workplace that may substantially affect health and safety.
- Arrangements for appointing health & safety competent persons and emergencies.
- Health & safety information required to be provided to employees.
- Health & safety training arrangements for the workforce, such as induction training.
- New technology introduced and planned, regarding consequences to health & safety.

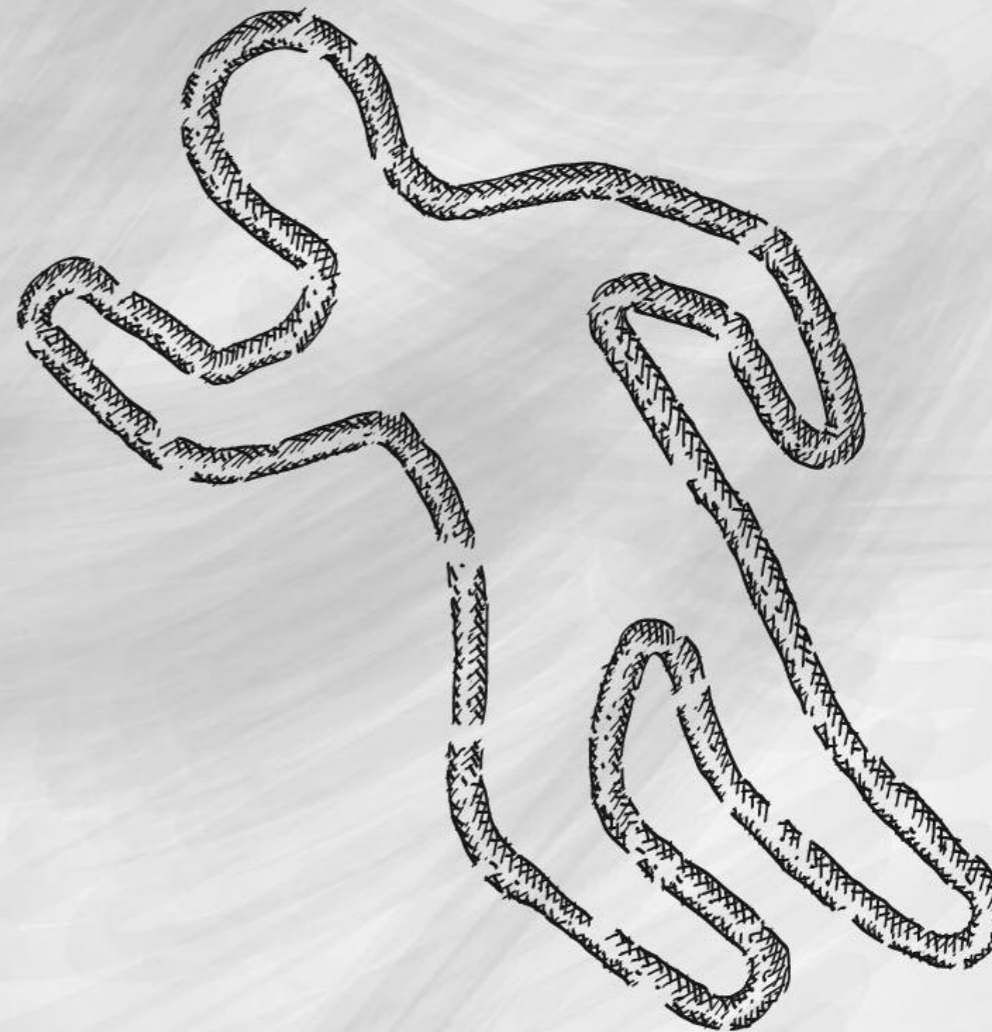
Employers must provide safety reps with the resources to carry out their role. This should include:

- Room with desk and chairs at work, for carrying out interviews and meetings.
- Secure facilities for storing documents.
- Access to a telephone and other communication media used or permitted in the workplace such as e-mail, intranet and internet.
- Access to printer and photocopier.
- Notice board.

Other facilities should include copies of relevant statutes, Regulations, Approved Codes of Practice and HSE guidance, copies of safety journals, and legal and international standards that are relevant to the workplace.



SAY NO TO UNSAFE JOBS



SAY YES TO MAKE IT SAFE

Unite – Making organisations SAFER ...
... Today, tomorrow and for the future



SAY **NO** TO UNSAFE JOBS

To bring about improvements in health and safety performance the need is for everyone to work together towards a set of common goals.

The need is to develop a genuine management/workforce partnership based on trust, respect, co-operation and joint problem solving.

Involvement in health and safety is simply a two-way process where employers and employee reps:

- Talk to one another
- Listen to one another's concerns
- Raise concerns and solve problems together
- Seek and share views and information
- Discuss issues in good time
- Consider what everyone has to say
- Make decisions together

No matter what the size and scope of the organisation, working together does not have to be complicated.

Unite Safety Reps should use their rights and functions to represent their members and protect workers' health and safety. Their most important union health and safety role is to represent workers' views to management, and ensure that no members are expected to do dangerous jobs.

Say NO

- Say No** – to taking risks
- Say No** – to dangerous work
- Say No** – to cutting corners
- Say No** – to production before safety

Say YES

- Say Yes** – to acting on H&S complaints and queries
- Say Yes** – to working together on risk assessments/SSoW*
- Say Yes** – to reporting near misses
- Say Yes** – to joint incident investigation

*Safe Systems of Work

IF YOU ARE GOING TO SAY "NO", TALK TO YOUR REGIONAL OFFICER FIRST

Safety Representatives and Safety Committees Regulations 1977 (SRSC)

Unite safety reps have a range of rights and functions under Reg. 4 of the SRSC Regs. (see over) These include being consulted about emergency procedures and making representations to the employer on matters affecting the health and safety of the employees at the workplace.

The Approved Code of Practice to the Reg 4 states:

Para 29. In order to fulfil their functions under section 2(4) of the Act safety representatives should... "bring to their employer's notice (normally in writing) any unsafe or unhealthy working conditions, working practices or unsatisfactory arrangements for welfare at work which come to their attention..."

The right to Say No is protected by law

HSW Act Section 7 – General duties of employees at work

It shall be the duty of every employee while at work –

- (a) to take reasonable care for the health and safety of himself and of other persons who may be affected by his acts or omissions at work

The Management of Health and Safety at Work Regulations 1999, Regulation 8

Procedures for serious and imminent danger and for danger areas

2(b) enable the persons ... at work ... (if necessary by taking appropriate steps in the absence of guidance or instruction and in the light of their knowledge and the technical means at their disposal) to stop work and immediately proceed to a place of safety in the event of their being exposed to serious, imminent and unavoidable danger;

Protection for safety reps and employees

The Employment Rights Act 1996 (section 44 and 100) strengthens the position of safety reps and employees.

Safety reps are protected from detriment or dismissal for carrying out their designated functions.

They and other employees are also protected:

- If they leave, or propose to leave the workplace in circumstances of serious and imminent danger.
- If they take or propose to take action against serious and imminent danger.

This section of the Act adds sections 22A and 57A to the Employment Protection (Consolidation) Act 1978. Protection is available regardless of length of service, hours of work or age. The rights are enforceable through employment tribunals.

SAY **YES** TO MAKE IT SAFE