

# Covid19: Your Rights



## Key points you should know:

- Safety guidance is a guide not a rationing or a rule
- Guidance sets a minimum standard. Not the maximum
- Your rights are determined by the actual danger you face
  - You have the right to self assess danger and risk

Workplaces cannot be centres of infection if we are to stop the spread of Covid19.

In the fight against Covid19 Workers' rights are public health rights.

Safety must come first. For you, your family, and the wider community.

UNISON has won your right to self-assess the danger you face and the protection you need.

This pack explains the different ways you can raise concerns and work with colleagues through the union to stay safe at work.

## Promoting Safe Work

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Safe workplaces are crucial to protect the wellbeing of essential workers and to prevent workplaces contributing to the spread of the disease. This guide sets out the steps that UNISON reps and groups of members can take to promote health and safety at work during the pandemic.

### Is my work safe?

The official guidance on safety in the face of coronavirus varies according to occupation and work setting. In a home care setting it may vary from client to client. As a result, UNISON attaches the highest importance to workers' self assessment of their own safety, minute by minute, hour by hour.

There are links to NI guidance on the UNISON NI website - [www.unison-ni.org.uk](http://www.unison-ni.org.uk). However, fundamentals of health and safety still apply and the [UNISON website \(https://www.unison.org.uk/coronavirus-rights-work/covid-19-advice-reps/\)](https://www.unison.org.uk/coronavirus-rights-work/covid-19-advice-reps/) provides key Health and Safety materials.

### UNISON's PPE Alert

Some workers may not feel confident to be personally identified with a challenge to working conditions. To meet this need, and to ensure your issues are still brought to the attention of politicians and the wider public, UNISON has set up a confidential reporting system called [UNISON PPE Alert \(https://www.unison.org.uk/coronavirus-rights-work/trouble-getting-personal-protection-equipment-ppe\)](https://www.unison.org.uk/coronavirus-rights-work/trouble-getting-personal-protection-equipment-ppe) where workers can leave anonymous accounts of their experience.

## How do I challenge unsafe work?

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Where groups of workers, or individuals, wish to challenge unsafe work this is done through a 3 Stage process for keeping people safe:

- **Stage 1: Guidance & Dialogue**
- **Stage 2: Challenge**
- **Stage 3: Action**

### Stage 1: Guidance & Dialogue

Most work arrangements are being addressed and resolved through direct dialogue with employers around existing guidance. However, if you are concerned about the application of the guidance to your workplace you should use the checklist below, work collectively with colleagues and seek support from your local rep and your UNISON branch. Contact details below.

**Checklist:** Where members have questions or concerns, there is a checklist below to help you work with your colleagues to ensure that relevant guidance is being followed and your safety needs addressed. This covers use of risk assessments, access to PPE, provision of hand sanitisers, compliance with social distancing and much more. If the Checklist reveals risks that are not resolved through guidance and dialogue with your line manager you may want to formally challenge. Before progressing you should contact your branch or use the contacts set out below. Wherever possible, work collectively as a group.

### Stage 2: Challenge

Where the checklist reveals the need for action on safety, and members want to make a complaint, UNISON will formally notify the employer and call for specific action on safety. The notice will explain our concerns (identified using the checklist) and set out your right to safety at work. We will also explain the legal protection you have when raising safety issues. If a formal challenge to unsafe work does not secure improved arrangements, and you relay your concerns to UNISON, we will advise you on the available options at Stage 3.

### Stage 3: Action

In extreme situations there are legal rules that enable workers to withdraw from unsafe situations. The rules for withdrawing from a work situation are as follows:

- You face a serious danger to your health
- The danger you face is immediate or imminent
- Your belief that you face imminent danger is reasonable
- You have used all available measures to protect yourself and avert the risk to health

Always seek advice first. Use the checklist and your UNISON branch or 02890270190 if you believe you need to withdraw from an unsafe situation.

**Escalating issues:** Some individual cases raise issues of wider importance than one workplace. When this occurs it is important that such cases are raised at a regional level where appropriate. By using the checklist you consent to safety issues being raised with employers and the NI Executive where appropriate.

**Contacts:** Contact your branch in the first instance. Branch contacts are provided on branch websites, social media or through the [UNISON Branch Finder](#). Alternatively contact UNISON NI on 02890270190.

# Be on the safe side – Become a H&S rep now!



UNISON has campaigned tirelessly on health and safety issues to protect its members at work during the COVID-19 pandemic and is launching a new campaign, **Be on the safe side**, ([www.unison.org.uk/unison-health-and-safety/become-safety-rep/](http://www.unison.org.uk/unison-health-and-safety/become-safety-rep/)) to recruit more safety reps in workplaces – as the need for them becomes greater than ever.

It has also supported its safety reps in carrying out their difficult role, whether ensuring that members have access to correct PPE, conducting workplace risk assessments or addressing the particular risks to vulnerable workers.

## What are key message to give to new potential Safety Reps?

1. By being a Safety Rep they can make a real difference, help their colleagues, keep workplaces safe & clean, and even save lives.
2. They are not expected to be a health & safety expert.
3. However every worker is an expert in their own job and what makes it safe. Once they become a Safety Rep, they will have the opportunity to listen to members about their jobs and develop their knowledge.
4. UNISON will support them at every step of the way by providing the training they need, and assisting them in discussions with employers on issues such as any time off needed to perform their role as a Safety Rep.

## How can members find out more about being a Safety Rep?

UNISON has launched a new web site, along with a leaflet that explains what a being a Safety Rep involves - [www.unison.org.uk/content/uploads/2020/06/26101.pdf](http://www.unison.org.uk/content/uploads/2020/06/26101.pdf)

There is also a more detailed guide that explains the role in full, and the powers Safety Reps have at their disposal - [www.unison.org.uk/content/uploads/2019/07/23941.pdf](http://www.unison.org.uk/content/uploads/2019/07/23941.pdf)

## How can Safety Reps help make workplaces COVID-Safe?

UNISON's advice page on Coronavirus (COVID-19) tells them everything they need to know about the disease, their rights at work and the measures required to keep them safe. This include links to bargaining information for reps.

We have also produced:

1. A leaflet to help members understand what is required to keep them safe, as more workers return to work - [www.unison.org.uk/content/uploads/2020/06/26089.pdf](http://www.unison.org.uk/content/uploads/2020/06/26089.pdf)
2. More detailed risk assessment guide for Safety Reps, that includes a supplement on risk assessing COVID-19 - [www.unison.org.uk/content/uploads/2020/07/26114.pdf](http://www.unison.org.uk/content/uploads/2020/07/26114.pdf)

## What training is available?

Go to the UNISON College NI website ([www.unisoncollegeni.org.uk/](http://www.unisoncollegeni.org.uk/)) to keep in touch as to what Health & Safety training is available.



## ARE YOU SAFE AT WORK? Covid19 and your safety rights – A safety checklist for members

Most work arrangements are being addressed and resolved through dialogue with employers around existing guidance. However, if you are concerned about the application of the guidance to your workplace you should use this checklist to ensure that relevant guidance is being followed. Work collectively with colleagues, and seek support from the branch and region where required.

Your name	
Your address	
Your mobile number	
Your email	
Your employer	
Name and address of workplace	
Briefly describe the work done at your workplace	
Do you have contact with Covid19 patients?	
If so, please describe the frequency and nature of the contact with Covid19 patients	
Do you believe you have the correct PPE?	
What type of PPE do you need?	
Is PPE available to you?	
If so, what type of PPE is provided?	
Are there measures in place to advise and enforce social distancing?	
Do you know if the risk assessment has been updated for Covid19?	
Was the union consulted about risk	

assessment and the implementation of safety measures?

Have you been told about measures adopted after risk assessments?

Have individual risk assessments been conducted for disabled workers?

Are there notices displayed to highlight measures adopted to manage covid19 risks?

State the name and contact details for your union rep

Are there any other issues or concerns UNISON should be aware of?


Members in working in **education** may also want to focus on the following key H&S issues related to schools opening up more widely. How satisfied are you that effective H&S measures are place with regard to the following

Maintenance of a safe environment	
Building health and safety checks on issues such as water systems; fire safety; kitchen equipment; specialist equipment for pupils	
Cleaning and hygiene arrangements	
Safe movement around the school for staff and children;	
Safe staffing, staff availability and rotas	
Assessed risks to Black and Minority Ethnic staff	
Involvement of respective catering, cleaning, classroom assistants and other support staff in discussions about how meals will be served, staffing levels, safety etc	
Social distancing & PPE arrangements Special measures related to SEN provision:	
Changes to routines for staff and pupil	
Communication arrangements for staff and parents?	
Managing pupil and staff wellbeing and mental health: Are you satisfied that appropriate measures will be in place when the school begins to open more widely?	

**Contacts**

Contact your branch in the first instance. Branch contacts are provided on branch websites, social media or through the [UNISON Branch Finder](#). Alternatively contact UNISON NI on 02890270190.