

Your Right to a Safe Place of Work

Unite has been inundated with calls from members who are seeking guidance on how to ensure they are safe at work during this time of Lockdown. Whilst we have made significant progress in our discussions with employers, some concerns remain. It is vital that you get in touch to let us know what is happening so that we can continue to raise and resolve concerns with your employer.

What Does The Law Say?

Under certain circumstances employees have protection not to suffer detriment or be dismissed on the grounds that:

- (a) In circumstances of danger which the employee reasonably believes to be serious and imminent and which they could reasonably be expected to have averted, they left (or proposed to leave) or (while the danger persisted) refused to return to their place of work or any dangerous part of their place of work, or
- (b) In circumstances of danger which the employee reasonably believed to be serious and imminent, they took (or proposed to take) appropriate steps to protect themselves or other persons in danger

Unite Advice and Support

Members should therefore ensure that the workplace has the basic requirements in place:

- an updated Risk Assessment has been undertaken to address the current threat
- strict social distancing (in work, vehicles and rest areas)

- proper, regular and clean facilities to ensure frequent handwashing is available
- appropriate PPE

Unsafe Work

If members feel that their own workplace presents a danger which is *serious and imminent*, you should:

- Go to a place where you feel safe - DO NOT walk out your workplace
- Contact your Manager and Unite Rep IMMEDIATELY and explain why you believe you are in serious and imminent danger
- If your circumstances are not covered in the current Risk Assessment or you still have concerns after speaking to your Manager, then your Unite Rep will engage with management to resolve the issue

Governments' Failure

It is recognised that both the Scottish and UK Governments have again failed to address the issue of non-essential work. Currently the guidance is that if you can work from home, you should work from home. Employers are often therefore interpreting that if you can't work from home, you should attend the workplace. Unite continues to press the Scottish Government to address this as a matter of urgency so that all non-essential work is halted quickly to help reduce the threat of transmitting this dangerous virus. Scottish Government have also confirmed that members who work at Colleges and Universities are NOT designated as key workers - your employer should NOT be issuing you letters stating that you are a key worker. You may have to undertake essential work but you should NOT be classed as or given key worker status.

UNITE - BECAUSE YOU DESERVE BETTER!