

Covid19: Your Rights



Key points you should know:

- Safety guidance is a guide not 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

Stopping the spread

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 Scottish guidance on the [UNISON Scotland website](#).

Hazards should be assessed and protective measures put in place. Guidance is important but you also have a legal right to self assess the risk you face and step back if absolutely necessary (see below).

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](#) where workers can leave anonymous accounts of their experience.

How do I challenge unsafe work?

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 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](#) (also 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 you may want to formally challenge your employer. Before progressing you should contact your branch or use the contacts set out below. Wherever possible, work collectively as a group.

If you complete the checklist you will receive a copy of your answers by email. To receive support with those issues you must forward the email and attachment to your branch and to membershipassistancescotland@unison.co.uk

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 email your answers to the branch and to membershipassistancescotland@unison.co.uk if you believe you need to withdraw from an unsafe situation.

Escalating issues nationally

Some individual cases raise issues that are of wider importance than one workplace. When this occurs it is important that such cases are raised at a national level where appropriate. By using the checklist you consent to safety issues being raised with employers and Scottish Government 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](#).

Alternative contacts for UNISON Scotland:
membershipassistancescotland@unison.co.uk

Glasgow 0141 342 2899 Aberdeen 01224 620624 Inverness 01463 715891

UNISON Safety Checklist

Covid19 and your safety rights



This safety check is for UNISON members.

If you would like to join you can [join online here](#)

Are you safe at work?

If you are working and you are concerned about safety you can use this checklist to assess your rights. By completing the checklist you consent to this data being used as aggregate and anonymous survey data to campaign for greater safety and improved working conditions for all UNISON members, and you consent to future contact from the union in relation to the issues raised in the survey.

[CLICK OUR ONLINE CHECKLIST HERE](#)

If you do not have smartphone or IT access to complete the survey on line please use the contacts below to arrange to answer the checklist question by a telephone interview.

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