



Bullying and harassment

Employers have a duty to provide a safe and healthy working environment.

This includes protection from bullying and harassment, including sexual harassment. As women have spoken out about the sexual harassment they have experienced in response to the #Me Too campaign, it has become clear that it remains a huge problem in workplaces across the UK.

What is workplace bullying?

Usually if a person genuinely feels they are being singled out for unfair treatment by a boss or colleague they are probably being bullied, and there is certainly an issue that needs to be addressed. Although there is no comprehensive list of bullying behaviours, and there is no one type of person who is likely to be a bully, the list below should give an idea of some of the behaviours which constitute workplace bullying.

Bullying behaviour can include:

- Someone being constantly criticised, having responsibilities removed or being given trivial tasks to do
- Staff being shouted at
- A person being persistently picked on in front of others, or in private
- Having promotion blocked
- Regularly making the same person the butt of jokes
- Constantly attacking a member of staff in terms of their professional or personal standing
- Setting a person up to fail by overloading them with work or setting impossible deadlines
- Regularly and deliberately ignoring or excluding individuals from discussions or activities
- Spreading malicious rumours or private or embarrassing information
- Staff having their views and opinions ignored or demeaned.

Employers should provide a clear commitment to deal with bullying and harassment

Bullying does not have to be face to face and can include “cyber-bullying” which includes information being spread through email or social media.

There is specific law on harassment and although there are no specific legislation aimed at bullying at work, employers have legal duties under both statutory and common law that are relevant and Safety Reps have rights they can use to tackle these problems. Employers should provide a clear commitment to deal with bullying and harassment.

UNISON take harassment and bullying seriously - If you experience oppressive and unacceptable behavior at work – Don't wait - contact the branch.

Equality Act =

The Equality Act, which came into force on 1 October 2010, provides the legal framework for discrimination law in England, Scotland and Wales.

- **Discrimination**
- **Harassment**
- **Victimisation**
- **Equal pay**
- **Public sector equality duty**
- **Positive action**

What does the Equality Act do?

The Act outlaws discrimination for the following nine “protected characteristics”

- **age**
- **disability**
- **gender reassignment**
- **marriage and civil partnership**
- **pregnancy and maternity**
- **race**
- **religion or belief**
- **sex**
- **sexual orientation**

It replaces all previous equality law including the Equal Pay Act, the Sex Discrimination Act, the Race Relations Act, the Disability Discrimination Act and the Regulations outlawing discrimination on the basis of age, religion or belief and sexual orientation as well as all other related legislation.

To whom does the Act apply?

The Act applies to all employers and anyone providing a service (for instance organisations that provide goods or facilities to the public) or exercising a public function. It also applies to anyone running a private club or association. All job applicants and employees are protected, as are workers (including contract workers). It also covers the self-employed who are personally engaged to do the work. Agency workers engaged by an employment business may be classed as contract workers if they are employed by that business. Agency workers supplied to a principal to do work and paid by an employment business under a contract will also be protected.



A manual handling injury that has a long-term impact (lasting ,or likely to last at least 12 months) on a worker’s ability to carry out day to day activities is likely to be a disability , entitling the worker to protection under the Equality Act 2010 (EA10). In particular, the (EA10). Imposes a duty on the employer to make reasonable adjustments to remove the disadvantage caused by the disability. European law encourages tribunals to take a broad view when interpreting “day to day activities” remembering that the aim of the law is to facilitate disabled people’s ability to participate in work and daily life alongside the non-disabled.



WORKERS MEMORIAL DAY SUNDAY 28 APRIL 2019

Every year more people are killed at work than in wars. Most don't die of mystery ailments, or in tragic "accidents". They die because an employer decided their safety just wasn't that important a priority. Workers' Memorial Day (WMD) commemorates those workers.

Workers' Memorial Day is held on 28 April every year and has always been to "remember the dead: fight for the living" and unions are asked to focus on both areas, by considering events or memorial to remember all those killed through work but at the same time ensuring that such tragedies are not repeated.

That can best be done by building trade union organisation, and campaigning for stricter enforcement with higher penalties for breaches of health & safety laws.

Workers Memorial Day is commemorated throughout the world and is officially recognised by the UK Government.



Statistics - Fatal injuries in Great Britain – HSE July 2018

- **144** Workers killed in **2017/18** (RIDDOR)
- Fatal injuries to workers by main industry.
- Fatal injuries to workers by age.
- Main kinds of fatal accident for workers.
- Rate of fatal injury per **100,000** workers.
- In addition, 100 Members of the public were killed due to work related activities in 2017/18

"Remember the dead: fight for the living"

The Senghenydd colliery disaster
1913. The explosion, which killed 439 miners and a rescuer, is still the worst [mining accident](#) in the United Kingdom. Universal Colliery, located on the [South Wales Coalfield](#),



For this year's Workers Memorial Day as a tribute to **Jack Humphreys** our UNISON Retired Members Treasure, we will be encouraging members to visit the National Mining Memorial Gardens in Senghenydd . Jack Chair of the Aber Valley Heritage Group and who sadly passed away on the 12th January 2019 led the charge in bringing the memorial to Senghenydd and will be sadly missed by all the Branch and we thank him for his dedication in everything he undertook.



Alcohol misuse

Current legal base & any legal developments
Health and Safety at Work etc Act 1974, section 2
Management of Health and Safety at Work Regulations 1999

You should also be aware of duties under the Road Traffic Act 1988 and the Transport and Works Act 1992. Drivers of road vehicles must not be under the influence of alcohol while driving, attempting to drive or when they are in charge of a vehicle. Certain rail, tram and other guided transport system workers must not be unfit through drink while working on the system. The operator

of such a system must exercise all due diligence to avoid those workers being unfit.

Key messages

While for many people, drinking alcohol is a positive part of life and does not cause any problems, the misuse of alcohol can lead to reduced productivity, taking time off work, and accidents at work. Employers should adopt an alcohol policy, in consultation with their staff. This should include matters such as:

- **How the organisation expects employees to limit their drinking;**
- **How problem drinking will be recognised and help offered;**
- **At what point and in what circumstances you will treat an employee's drinking as a matter for discipline rather than as a health problem.**

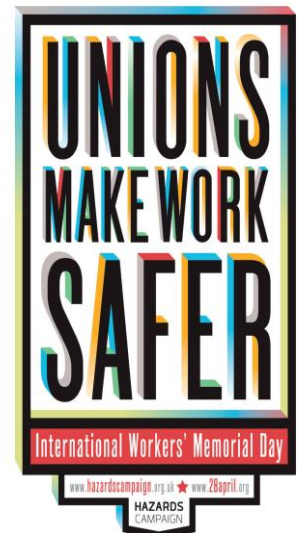
“Some employers have decided to adopt alcohol screening as part of their alcohol policy. If you think you want to do the same, think very carefully about what you want screening to do, and what you will do with the information it generates. Screening by itself will never be the complete answer to problems caused by alcohol misuse”.

Health and Safety Executive.

Employer's obligation to consult

Consultation with employers must be carried out on all matters concerning health and safety at work, including:

- Any change which may substantially affect their health and safety at work;
- Arrangements for appointing competent people to assist the employer or satisfy health and safety laws;
- information on the risks involved in the work and the measures to prevent or control the risks, including what action should be taken by employees;
- the planning of health and safety training, and
- the health and safety consequences of introducing new technology





Tyre Check



Having the right car tyre pressure is important. Not only does this keep your car tyres in good shape, it also benefits your car. Low pressures cost you more in fuel and lead to poor handling and braking, while a low tread depth will cause a loss of grip, especially in adverse conditions.

Checking how the tread is wearing will keep you on the right side of the law and can highlight problems with the car's steering or suspension. A tyre must have more than 1.6mm of tread depth across the middle 75 per cent of its width; anything less is illegal.

To help you keep an eye on your tyres UNISON has a little Easter gift for members in the shape of a tyre tread gauge. So pop along to the office to pick yours up or give us call – first come first serve so don't wait.



The table below is a brief guide to the legal services you as a member and in some cases your families may be entitled to.

| | Members | Members Families |
|---|---------------|------------------|
| Employment advice | Free | X |
| Personal injury advice following an accident/injury: | | |
| 1. Accidents at work including industrial and work-related diseases | Free | X |
| 2. Criminal Injuries Compensation Authority (CICA) Work-related injury due to a crime of violence | Free | X |
| 3. Accident outside work Including road traffic accidents and holiday accidents | Free | Free |
| Criminal law advice Defending work related criminal charges | Free | X |
| Wills Standard wills service | | |
| Conveyancing | Special rates | Special rates |
| Free Initial legal advice On any non-work issue up to 30 minutes advice | Free | X |
| Clinical negligence | Free | X |

Health and safety is one of the main reasons why people join and stay in UNISON.

If any of these issues effect you contact the Branch

Your union is only as strong as the resolve of its members, and the willingness of activists to put their heads above the parapets and represent you.

The Branch tries very hard to keep members informed of what is happening both nationally and within Caerphilly.

Have you ever wondered why sometimes you may not get the information? It may be that your contact details are not up to date?

Thinking about becoming an activist?

DO IT NOW!!

You're
WORTH
it

By activist we mean:

Work Place Contact: Unison member who is prepared to receive information on behalf of colleagues, and pass on accordingly.

Departmental Stewards/ Reps: These are needed to cover all service areas. In short, they identify potential issues, assist members with local issues, and offer advice and guidance where needed.

Health & Safety Reps: this is a Unison member who actively works to ensure that the places we work are safe places for all to work and that they comply with Health and Safety legislation.

European research suggests that women are under-represented in the health and safety decision-making process. In particular, more women are needed to be safety representatives. By representing your colleagues you're playing a vital and rewarding role in making sure those women's views and experience of workplace health and safety are taken into account.

Your Branch needs more members to become active. The more we are organised within the workplace the stronger we are as a union. The stronger we are the more we can achieve for you as a member.

If you become active, the branch will provide training and mentoring to ensure that whatever you would like to do within the branch, you will be equipped with the necessary skills and knowledge to achieve it.

Remember, you only do as much, or as little, as you want as an activist... Why not gives it a try.

For further information contact the Branch on: **01443 863279**

