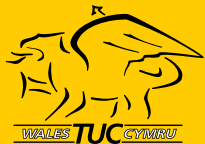




UNIT 2

# rights and responsibilities at work

AN EDUCATIONAL RESOURCE PACK  
FOR USE IN SCHOOLS IN WALES



helping to equip young people  
for the world of work

# UNIT 2: rights and responsibilities at work

## a better way to work wales

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## acknowledgements

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# UNIT 2: rights and responsibilities at work

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## GROUP LEADERS' NOTES

The aims of this unit are to:

- » introduce young people to their legal position in relation to rights at work
- » promote discussion about rights and responsibilities both at work and on work experience
- » provide opportunities for young people to work with trade unionists in the classroom.

The unit consists of nine sections:

- » rights and wrongs – an introductory activity on rights and responsibilities at work.
- » my rights and responsibilities on work experience – a short activity on rights and responsibilities which helps in the preparation of students for work experience.
- » my rights and responsibilities as a young apprentice – classroom activities on the rights and responsibilities facing young people on extended work placements such as those undertaken by Young Apprentices.
- » young apprentice – what would you do? – a work placement preparation exercise addressing difficult situations that might arise at work.
- » two homeworker's stories – a case study of workers' rights.
- » snooping? – case studies to raise issues about the use of ICT at work and companies monitoring their employees.
- » adult minimum wage for 18–21 year olds – a debate activity on the extension of the adult Minimum Wage to the younger age group.
- » attitudes towards trade unions and rights at work – an assignment which students can use to produce evidence of Key Skills.
- » bullying – a roleplay to highlight the issues associated with bullying at work.

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### GROUP LEADERS' NOTES

## background information

**Everyone at work is protected by a series of basic legal rights – some old and some new. Changes are occurring all the time and people should always seek detailed advice about their particular circumstances.**

The basic rights that give everyone some protection are known as statutory rights. These come from a government initiative or from Europe, although such rights still have to be turned into UK law. Employment rights are normally enforced by an employment tribunal, made up of a panel of independent people, who listen to the employer's and employee's point of view and come to a judgement about a case. Sometimes cases go to a civil court for judges to interpret the law, and occasionally an employment-related matter could go to a criminal court, for example if someone commits an assault at work, or if an employer is being prosecuted for a breach of health and safety law.

The activities in this section help young people to learn about the rights and responsibilities of employers and employees. Young people will also learn about legal and human rights and the ways in which trade unions have helped to bring about social change.

The activities would benefit from the presence of a trade union official who has up-to-date knowledge of employment law. Briefing notes for trade unionists are provided at the end of each unit. Group leaders are advised to have access to recent reference material.

Information is available on line at [www.tuc.org.uk](http://www.tuc.org.uk); [www.acas.org.uk](http://www.acas.org.uk) and [www.berr.gov.uk](http://www.berr.gov.uk).

The TUC provides a series of leaflets, including:

*Facing Redundancy*

*Coping with the Economic Downturn*

*Maternity leave and pay*

*Paternity leave and pay*

*Adoption leave and pay*

*Flexible working time for parents*

*Time off for families*

*Time's up for long hours*

*Paid holiday and rest breaks at work*

*Working in the UK: rights for migrant workers* (available in English, Czech, Estonian, Hungarian, Latvian, Lithuanian, Polish, Russian, Slovak, French and Spanish)

*Young people at work*

*Agency workers have rights too!*

*You're not alone: trade union representation at work*

*Your rights as a homeworker*

*Privacy at work*

**These leaflets are available free from the 'Know Your Rights' Line on 0870 600 4882.**

TUC/Kogan Page have also published *Your Rights at Work*, a comprehensive guide to rights at work (order for £9.99 via the TUC website).

### rights and wrongs

#### DESCRIPTION

This activity is designed to introduce young people to a variety of employment rights and to encourage them to discuss some of the issues with other young people. They work in groups of three and consider the rights from the perspectives of employee, employer and trade union representative. The activity can be run in a normal lesson of 45 minutes. It would benefit from the involvement of a trade unionist.

#### LEARNING OUTCOMES

- » Young people learn about some of the basic rights at work.

#### METHOD

Ask young people to work in groups of three: one takes the role of employee, one the role of employer and one the role of trade union representative. They can decide who plays which role.

Give each group one of the *rights and responsibilities* cards. Each card contains a scenario which focuses on a different aspect of workers' rights. Give the *basic guide to employment rights* to the trade union representative in the group who must not show it to the other group members.

Tell the group that they should discuss the scenario they have been given from the point of view of the role they are playing. The employee should say why they want the right described; the employer should give the perspective of a person running the company. The trade union representative listens to the discussion at this stage and checks the legal position on this issue in the *basic guide to employment rights*.

After ten minutes' discussion, the young person in role as trade union representative should give his/her interpretation of the legal position from the *basic guide to employment rights*.

If a real trade unionist is present ask him/her to circulate in the class and listen in to the conversations taking place. If young people do not understand one of the cards, ask the trade unionist to explain it the group.

When the group has come to a decision about the card, give them another. Some groups may cover more cards than others.

Ask each group to say what decisions they came to on each card and ask the visiting trade unionist to feed back any interesting issues which emerged during the discussions.

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### INTRODUCTORY ACTIVITY

#### SCENARIO 1

A part-time cleaner, who works 10 hours a week in a supermarket hears that all full-time employees have an annual paid holiday of 16 days a year. The cleaner has only been working for the company for six months and has not requested any holiday. However, she would like to take some paid time off to visit her son.

The employer has never paid part-timers holiday pay. What rights does the employee have? What would the employer's view be?

#### SCENARIO 2

A driver in a transport company has a very quick temper. He has sometimes been involved in arguments with his fellow workers. He has worked for the company for two years and one day is overhead swearing at a fellow driver who, he said, insulted him. The fellow driver says he is a bully.

The employer tells him to come to the office to be given notice to leave because this is not the first time the driver has been aggressive.

What are both drivers' rights? Was the employer right to sack the first driver?

#### SCENARIO 3

A clerical worker has been working for an employer for five months. She becomes pregnant and goes to see her employer to ask for time off and maternity pay.

The employer has a very small business and is worried about the cost of employing someone during the maternity leave. It would be easier for the employer to sack the worker.

What rights does the employee have? What is the employer's position?

#### SCENARIO 4

A worker is elected by her fellow workers to be the shop steward for their trade union. There are lots of problems for the shop steward to sort out and the worker asks the employer for an hour off work to carry out her work.

The employer does not see why she should pay the worker to do trade union business.

What is the position of the shop steward? What would the employer say?

#### SCENARIO 5

A young worker in a distribution company becomes ill. She earns £55 per week and has worked for the company for one year. She is hospitalised for one month and her father phones the employer to ask for sick pay.

The employer says that he is having to pay another person to do the job and cannot afford to pay both workers.

What are her rights? Who should pay sick pay?

#### SCENARIO 6

A small firm is losing money and cannot afford to keep on all of its workforce. Three employees, who have worked for the firm for three years, are given redundancy notices.

The workers do not know whether they will get any redundancy pay or how much.

The employer has no funds to pay.

What are the employees' rights? What is the employer's position?

### BASIC GUIDE TO EMPLOYMENT RIGHTS 1



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### INTRODUCTORY ACTIVITY

## BASIC GUIDE TO EMPLOYMENT RIGHTS 2

### WHAT IS UNFAIR DISMISSAL?

Your employer must be able to show that there was a good reason for your dismissal and that he/she acted reasonably. A dismissal is usually regarded as fair if it is to do with:

- » capability or qualifications for the job
- » misconduct
- » redundancy
- » legal requirements for the job
- » some other substantial reason.

Some dismissals are automatically unfair. You do not need the two years' service with your employer to claim if you were dismissed because of:

- » pregnancy
- » sex or race discrimination or sexual orientation or religious beliefs
- » equal pay
- » union membership or activities
- » health and safety
- » enforcing a statutory right.

### REDUNDANCY

The law states that your employer must consult about proposed redundancies with either the recognised union or the representatives elected by the employees at the workplace. This only applies if 20 or more employees are to be made redundant.

The law sets out the minimum redundancy payment. This depends on your age, your pay and your length of service.

- » Aged 18-21: half a week's pay for each year of service
- » Aged 22-40: one week's pay for each year of service
- » Aged 40-65: one and a half week's pay for each year of service.

### STATUTORY SICK PAY

You can get sick pay from your employer if:

- » you are under 65
- » you have been off work for at least three days (you do not get sick pay for the first three days of sickness)
- » the period of sick leave is at least four days long
- » your weekly gross earnings are £82 or more.

### PART-TIME WORKERS

If you work part-time, you now have the same rights as full-time employees. Also you should receive the same rights (pro-rata) as full-timers for all benefits, for example holidays. Since most part-time workers are women, it may be that your employer is guilty of indirect sex discrimination if you are not receiving the same benefits as full-timers.

These are minimum statutory rights. Some workers have additional rights which have been negotiated locally. This is not a legal document. Professional advice should always be sought.

*Acknowledgements to Sarah Veale, TUC*

### my rights and responsibilities on work experience

#### DESCRIPTION

When students go out on work experience, they are technically employees of the company. They do not have all the same rights as employed staff, but they have a number of rights and also responsibilities that ought to be discussed during preparation for their placements. This activity can help students understand how being more assertive, by not being afraid to make requests or to ask questions, can improve the quality of their experience. Students, working in pairs, consider a set of statements about their rights and then a second set of statements about their responsibilities on work experience. The activity is designed to be run in a typical 30/35 minute lesson period.

#### LEARNING OUTCOMES

- » Young people learn about the rights and responsibilities they have on work experience.
- » They discuss what they should do if there are difficulties.

#### METHOD

Explain that the aim of the activity is to help students to understand the rights and responsibilities which they have while on work experience. It is advisable to use this activity once students know which placement they will be going to. The activity will be enhanced if students going to similar areas of work (e.g. retail, office) work together.

Distribute one copy of the handout to each pair and read through the instructions with them. Explain that people have responsibilities as well as rights. Some of these responsibilities are dealt with by law (e.g. health and safety) and others are not. Allow ten minutes for each pair to agree on the rights and responsibilities they have always, usually, sometimes or never.

Ask groups to join together, again trying to keep groups going to the same work areas together. Ask them to compare and contrast their two checklists. Allow ten minutes to see if they can agree a common list.

Debrief by asking one group to identify the list of rights which they think they always or usually would have. Ask if any other groups disagree. Ask them if there are any situations when this right would not apply.

Repeat the exercise for responsibilities, starting with a different group. Attempt to produce a class set of rights and responsibilities which students can record and take with them to their placement. Are there any differences in rights and responsibilities between different types of workplace?

Following their work experience, review the list of rights and responsibilities. To what extent were students able to exercise their rights? To what extent did they fulfil their responsibilities?

# UNIT 2: rights and responsibilities at work

## a better way to work wales

### WORK EXPERIENCE PREPARATION

## my rights and responsibilities on work experience

When you are working with others on work experience you should be clear about your rights and responsibilities. It will help you to be more confident if you think about these rights and responsibilities before you go on your work placement.

Look at the table of rights below and agree which of these is always or usually a right whatever the circumstances. Decide which is sometimes or never a right on work experience. Tick the right box.

Now do the same for the list of responsibilities.

|    | <b>I HAVE THE RIGHT TO:</b>  | <b>ALWAYS</b> | <b>USUALLY</b> | <b>SOME-TIMES</b> | <b>NEVER</b> |
|----|--|---------------|----------------|-------------------|--------------|
| 1  | ask questions when I don't understand                                    |               |                |                   |              |
| 2  | be heard when I want to say something                                    |               |                |                   |              |
| 3  | decide what to do with my own time                                       |               |                |                   |              |
| 4  | make mistakes without feeling guilty                                     |               |                |                   |              |
| 5  | say 'no' to other's requests   |               |                |                   |              |
| 6  | ask my supervisor to explain when they ask me to do things               |               |                |                   |              |
| 7  | do the tasks listed in the description of the placement                  |               |                |                   |              |
| 8  | refuse to do menial or repetitive jobs which last for more than two days |               |                |                   |              |
| 9  | be treated with respect  |               |                |                   |              |
| 10 | ask to try things that will help me learn                                |               |                |                   |              |

|    | <b>I HAVE THE RESPONSIBILITY TO:</b>               | <b>ALWAYS</b> | <b>USUALLY</b> | <b>SOME-TIMES</b> | <b>NEVER</b> |
|----|--|---------------|----------------|-------------------|--------------|
| 1  | arrive and leave on time                           |               |                |                   |              |
| 2  | listen carefully to health and safety rules        |               |                |                   |              |
| 3  | look after my own health and safety at work        |               |                |                   |              |
| 4  | be aware of the health and safety of my co-workers |               |                |                   |              |
| 5  | learn as much as I can during my placement         |               |                |                   |              |
| 6  | follow my supervisor's instructions                |               |                |                   |              |
| 7  | treat others with respect                          |               |                |                   |              |
| 8  | ask questions when I don't understand              |               |                |                   |              |
| 9  | work as hard as I can                              |               |                |                   |              |
| 10 | ask for help if I need it                          |               |                |                   |              |

### my rights and responsibilities as a young apprentice

#### DESCRIPTION

When students become Young Apprentices, they are technically employees of the company. They do not have all the same rights as employed staff, but they have a number of rights and also responsibilities that ought to be discussed during preparation for their placements. DCFS has published a booklet for students called *Young Apprentice: A guide to your rights and responsibilities* on which this activity and the next one are based. Students, working in pairs, consider a set of statements about their rights and then a second set of statements about their responsibilities as Young Apprentices.

#### LEARNING OUTCOMES

- » Young people learn about the rights and responsibilities they have on work experience.
- » They discuss what they should do if there are difficulties.

#### METHOD

Explain that the aim of the activity is to help Young Apprentices to understand the rights and responsibilities which they have while on work experience. It is advisable to use this activity once students know which placement they will be going to. The activity will be enhanced if a pair of Apprentices going to similar areas of work (e.g. Engineering, Hospitality, Health and Social Care) work together.

Distribute one copy of the handout to each pair and read through the instructions with them. Explain that people have responsibilities as well as rights. Some of these responsibilities are dealt with by law (e.g. health and safety) and others are not. Allow ten minutes for each pair to agree on the rights and responsibilities they have always, usually, sometimes or never.

Ask groups to join together, again trying to keep groups going to the same work areas together. Ask them to compare and contrast their two checklists. Allow ten minutes to see if they can agree a common list.

Debrief by asking one group to identify the list of rights which they think they always or usually would have. Ask if any other groups disagree. Ask them if there are any situations when this right would not apply.

Repeat the exercise for responsibilities, starting with a different group. Attempt to produce a class set of rights and responsibilities which Apprentices can record and take with them to their placement to discuss with their supervisor. Are there any differences in rights and responsibilities between different types of workplace?

Following the first term of their Apprenticeship, review the list of rights and responsibilities. To what extent were students able to exercise their rights? To what extent did they fulfil their responsibilities? What were the exceptions when the rights had to be set on one side?

# UNIT 2: rights and responsibilities at work

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### WORK EXPERIENCE PREPARATION

## my rights and responsibilities as a young apprentice

When you are working with other people on your work placement you should be clear about your rights and responsibilities. It will help you to be more confident if you think about these rights and responsibilities before you go on your work placement.

Look at the table of rights below and agree which of these is always or usually a right whatever the circumstances. Decide which is sometimes or never a right on work experience. Tick the right box. Now do the same for the list of responsibilities.

|    | <b>I HAVE THE RIGHT TO:</b>  | <b>ALWAYS</b> | <b>USUALLY</b> | <b>SOME-TIMES</b> | <b>NEVER</b> |
|----|--|---------------|----------------|-------------------|--------------|
| 1  | A mentor at the workplace  |               |                |                   |              |
| 2  | A supervisor to watch over my work and training  |               |                |                   |              |
| 3  | My own work station, desk or bench etc   |               |                |                   |              |
| 4  | Use any tools and equipment at the workplace   |               |                |                   |              |
| 5  | Join a trade union as a young member   |               |                |                   |              |
| 6  | A health and safety induction and access to personal protective equipment                            |               |                |                   |              |
| 7  | Know what the significant risks to my health and safety are, and how these are to be controlled      |               |                |                   |              |
| 8  | Take home finished pieces of work for my Apprenticeship portfolio                                    |               |                |                   |              |
| 9  | Do GCSE assignment work connected to my Apprenticeship during working hours                          |               |                |                   |              |
| 10 | Use more advanced machinery, tools and equipment as I move into the second year of my Apprenticeship |               |                |                   |              |
|    | <b>I HAVE THE RESPONSIBILITY TO:</b>   | <b>ALWAYS</b> | <b>USUALLY</b> | <b>SOME-TIMES</b> | <b>NEVER</b> |
| 1  | Keep to agreed working hours   |               |                |                   |              |
| 2  | Avoid wandering into areas that I have been told are out of bounds for health and safety reasons     |               |                |                   |              |
| 3  | Follow the employers' rules on use of the company telephone, email and internet services             |               |                |                   |              |
| 4  | Follow instructions from my employer and supervisor  |               |                |                   |              |
| 5  | Question things which seem wrong   |               |                |                   |              |
| 6  | Talk to my supervisor and teacher if I am unhappy or confused about something at work                |               |                |                   |              |
| 7  | Treat other people with respect in how I talk to them and behave                                     |               |                |                   |              |
| 8  | Work as hard as I can but always at a safe pace for me   |               |                |                   |              |
| 9  | Put the employers' priorities first above my schoolwork during the working day at the placement      |               |                |                   |              |
| 10 | Help improve the quality of the workplace and the placement by making suggestions to my supervisor   |               |                |                   |              |

### young apprentice – what would you do?

#### DESCRIPTION

Young Apprentices are immersed in workplaces for around 50 days over two years and so are likely to be treated much more as one of the workforce than students on a two-week block. Problems that might arise will go on over a long period and can get worse unless action is taken to stop them. In this activity students preparing for Young Apprenticeships or extended work placements are asked to consider a range of *What if?* scenarios to explore how they might react and what they might do in each situation.

#### LEARNING OUTCOMES

- » Young Apprentices are better prepared to handle difficult situations and problems that might arise during the placement.
- » Young Apprentices are more aware of their rights and responsibilities in difficult situations and what they can do to alleviate any stress or worry they might feel.

#### METHOD

The activity is best run at school or college in preparation for their extended work placements with an employer. Reassure students that there are very few problems that arise for Young Apprentices and the main aim is to make them aware of what to do if they encounter any of the range of problems presented.

Divide the students into groups and distribute the *young apprentice – what would you do?* cards. You can either reproduce the whole sheet of eight situations, or give each group one or two situations to discuss depending on the time available. They should read the scenario and then discuss and make a note of their responses to the two (or all) questions.

It is helpful to obtain copies of the DfES booklet *Young apprentice: A guide to your rights and responsibilities* to hand out after the session as reinforcement to the session. The booklet advises students:

'There are several people who can support you at work. Your *employer* will see you as a young trainee. You will have a *supervisor*– someone who will manage your work. You may have a *mentor* who can help you fit into the workplace. Your *teacher* should visit you regularly to see you at work. You will have *colleagues* or people in your team that you work alongside.'

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### WORK EXPERIENCE PREPARATION

## young apprentice – what would you do? /2

'If faced with a problem you need first to talk to your supervisor. You should also tell the teacher who is responsible for looking after you during your Young Apprenticeship. Remember you should always talk to teachers about any problems; your school still has responsibility for you when you are attending your apprenticeship. Finally, you should tell your parents or guardian. Problems are best shared. What you should NOT do is to worry and not tell anyone.'

You may want to share these thoughts with students before they do the task or as part of the debrief.

Debrief by taking one scenario at a time. Ask one group to feed back to the whole group the essence of their discussions and their conclusions about what their rights and responsibilities were and what they would do. Then ask another group with the same scenario if they agree, or have anything to add, and so on until all situations are discussed. The guide on page 15 will help with some of the discussion.

It would add considerably to the quality of the exercise if a trade union visitor or YA supervisor was present to discuss the scenarios and to reassure students.

### young apprentice – what would you do?

#### CARD RESPONSES

**A.** Everyone has the right to be treated with respect. The YA was right to ask the person to stop first as this was the adult, assertive response. The fact that the harassment has continued is moving towards workplace bullying. They should inform their supervisor and teacher. The supervisor should take some action, in the first case asking them not to repeat such comments. If serious, the supervisor should make sure they do not come into contact with you. Such incidents are uncommon.

**B.** They should ask their supervisor about the rules on internet and telephone for personal use, and follow those rules. These should have been made clear during induction. The Apprentice would be wise not to 'shop' work colleagues. But they could ask the supervisor if they need to make a personal call or look something up on the web for their schoolwork. They have the right to ask if there is any personal use permitted.

**C.** Health and safety is important as people's bodies and lives are at risk. The school should have made sure that YAs had a school briefing even if they were absent on the day. YAs must ask if they do not understand and if there is a written list of dos and don'ts that they can keep. Good health and safety inductions often include a test at the end to check understanding. Health and safety is also an ongoing aspect of the Apprenticeship which should be referred to regularly and practised all the time.

**D.** Do not follow the bad habits of other people. YAs have a responsibility to themselves and others to wear personal protective clothing and equipment. This is something YAs should mention to their supervisor or teacher for them to take action. Bad health and safety practice can harm other people.

**E.** It is always unwise to meet people they do not know well alone. They are also a child below the school leaving age and under 18. They should never agree to meet people alone in a private location. However, if there is a group social event which everyone knows about then that may be different. They should follow the law on the consumption of alcohol. If the attentions are unwanted, then they should firmly tell them they are not interested or that they will have to mention this to their supervisor and teacher.

**F.** Personal distance is sometimes a matter of personal preferences, but it can signal unwanted physical attention and harassment. The YA should explain that they do not like people standing too close when talking to them or touching them from behind. If the behaviour continues they should inform their supervisor and their teacher.

**G.** YAs of different sexes should be given equal opportunities to learn and develop their skills during their placement. Differential treatment may be a product of different levels of knowledge, skills and capabilities or a result of underlying stereotypes. Either way, such experiences need to be challenged and the YA should make a note of such issues to discuss with their supervisor and the teacher.

**H.** Often male-dominated workplaces have a culture based on jokes, horseplay, sexism and bad language. It is unrealistic to expect this to stop when a YA is introduced. Many playgrounds are also afflicted by the use of bad language. However, the YA Partnership should consider the availability of appropriate role models and whether all placements are suitable for 14-16 year olds.

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### WORK EXPERIENCE PREPARATION

## young apprentice – what would you do?

### CARDS

#### A. 'Wind up merchant'

Someone you work with makes comments you do not like about your religious beliefs and family background. When you ask them to stop they say that you can't take a joke. Next time you see them the same thing happens.

*What are your rights and responsibilities in this situation? What would you do in this situation?*

#### E. Workplace relationships

A work colleague of the opposite sex starts to show interest in you and asks you to meet them after work to go for a drink.

*What are your rights and responsibilities in this situation? What would you do in this situation?*

#### B. Use and abuse of company equipment

The company rules about using the phone and email for personal use have been explained to you. However, most of your work colleagues do use the phone to call their friends. They also play solitaire and surf the net when things are quiet at work and tell you that you can do the same.

*What are your rights and responsibilities in this situation? What would you do in this situation?*

#### F. Up close and personal

A work colleague is in the habit of putting their face very close to yours when they are talking to you. They also come up behind you and rest their hand on your shoulders when starting a conversation.

*What are your rights and responsibilities in this situation? What would you do in this situation?*

#### C. Health and safety briefing

In school you had one lesson on health and safety on work experience, but you visited the dentist on that day and missed it. You had a health and safety induction on the first day at work, but some of the language was hard to understand and you felt too nervous to ask questions.

*What are your rights and responsibilities in this situation? What would you do in this situation?*

#### G. Gender issues

You are at the workplace with a Young Apprentice of the opposite sex to you. After a while it is clear that they are given more opportunities to try new things than you. When you ask about this you are told that they have developed better skills than you and so can try more ambitious projects.

*What are your rights and responsibilities in this situation? What would you do in this situation?*

#### D. Safety equipment

The health and safety induction stressed the importance of wearing personal protective clothing and equipment during some of the work operations. However, some of your work colleagues take these off or do not use the equipment when the supervisor is away as it slows them down.

*What are your rights and responsibilities in this situation? What would you do in this situation?*

#### H. Mind your language

You find that work colleagues use a lot of bad language and also read out articles from tabloid newspapers which you find offensive. They also tell rude and sexist jokes.

*What are your rights and responsibilities in this situation? What would you do in this situation?*

### two homeworkers' stories

#### DESCRIPTION

These two case studies describe different experiences of homeworking. Some background information is also provided from the national group on Homeworking. The case studies can be used to raise issues for discussion about rights and responsibilities at work. Students can consider the impact on homeworking of the National Minimum Wage. The case studies can be used a part of a unit on work, employment rights, equal opportunities or low pay. The suggested activities can be used within a typical single lesson or as a discussion activity in a youth group setting.

#### LEARNING OUTCOMES

- » Young people find out about the conditions for homeworkers.
- » They consider the impact of the National Minimum Wage on homeworkers' pay.
- » They discuss the rights of homeworkers and form some opinions.

#### METHOD

Introduce the case study by explaining that it is estimated that around 1 million people in Britain today are doing paid work at home. Many of these people do not appear in the official employment statistics. Pauline's story is an example of someone working from home.

Ask students to work in groups of three or four. They should read through Maureen and Wendy's stories and discuss some or all of the following questions. The exact focus of the questions will depend upon the context of the session.

- » Why do you think Maureen and Wendy don't go and get a 'proper' full-time job?
- » What employment rights do they have?
- » What rights do you think they should have?
- » Do you think that they should join a trade union?
- » How might a minimum wage of, say £3.50, affect homeworkers like these two?
- » Do you think that major companies who sell products that have been assembled or packed by homeworkers being paid very low wages have any responsibilities to those workers?

# UNIT 2: rights and responsibilities at work

## a better way to work wales

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### CASE STUDY ONE

## two homeworkers' stories /2

Give out the list of statements on homeworking and ask the groups to decide whether they agree, disagree or can't decide about each statement. When they have completed the sheet, ask them to discuss the following questions.

- » Why do employers use homeworkers?
- » How does homeworking raise issues of health and safety?
- » What responsibilities do you think those people who employ homeworkers should have?
- » Do you think that major companies who sell products that have been assembled or packed by homeworkers being paid very low wages have any responsibilities to those workers?

Ask students to appoint a scribe in each group to record the views of the group. Discuss each question in turn by asking a different group for its response and then opening out the discussion for other groups to agree, disagree or add points.

Use the second sheet for groups who finish early to see how far Maureen and Wendy's are typical cases. Alternatively use this information when discussing the responses to the questions. If a trade unionist is present ask them to give their perspective on homeworking and to comment on the students' perspectives.

### two homeworkers' stories

*the impact of the national minimum wage*

#### **Maureen - before the National Minimum Wage**

I was a lone parent on Income Support living on the outskirts of Nottingham. My daughter was then two and a half years old. I began outwork at home, having been given their number through someone I knew already doing the work. I did the outwork while my daughter was at play school and in the evenings – approximately six hours a day – and was able to do this work on a tray in the lounge so I could listen to music or TV in the background.

I'd left work when my daughter was ten months old to enable me to care for her and I needed something to do and earn a little extra money. I did various types of work for the company; mainly screw kits and component kits. The screw kits consisted of two tie-wraps and four screws being put into a small plastic bag and stapled. These usually came in boxes between one and two thousand. There was no time limit specified unless very urgent, but obviously the work was expected to be done quickly. The component kits came in boxes of four thousand and consisted of two small metal contacts being pressed with a special tool into a small plastic connection. These were bulb filaments for the lights on car dashboards.

This work was paid weekly and worked out by what they received per week – it worked out at roughly £10 per week, depending on how much I'd done. I did get a payslip with my name on. It was very low pay for a lot of work but the money was useful especially at Christmas and I had the time to do it being a single parent.

#### **Wendy – after the introduction of the National Minimum Wage**

In February 2001 I had to take a week off my homeworking job with the flu. When I started back, my work didn't seem to be good enough and the work was constantly sent back to be re-done. Maybe my employer didn't like the idea of me claiming sick pay; he had reluctantly paid it to me when I gave him an SSP form to fill in from the Social Security.

At about this time, I contacted the National Homeworkers' Group (NGH) who pointed out to me that the employer was doing quite a lot wrong. At the end of March it all got too much for me and I handed in my notice and decided to take him to court because he wasn't paying me the National Minimum Wage. I also asked for the holiday pay he owed me. My employer was adamant that I was self-employed, but luckily for me the minimum wage officer knew his stuff. I took my employer to court and proved that I was employed because my employer paid my tax and National Insurance. The work was also delivered and collected from my own home.

The full hearing was due to be heard in November, but was delayed until the following February. Before the hearing came to court my employer offered me £1000 on the understanding that I was to say nothing to anybody about it. You must be joking – he owed me £1,721.46 and I wanted every penny and besides, why should I be gagged? You can imagine how I felt when I heard the next morning that he would pay me the full amount, no strings attached. My message to anybody in the same or similar situation: don't be frightened and go for it because NGH and a lot more people out there are on your side. All you have to do is ask.

Both case studies adapted from *The National Homeworker*, newsletter of the National Homeworkers' Group, Spring 2001.

# UNIT 2: rights and responsibilities at work

## a better way to work wales

### CASE STUDY ONE

## homeworking: the facts

- » There are around **1 million homeworkers in the UK**.
- » Homeworking is found in many industries: clothing, footwear, car components, printing, plastics, electronics, engineering, knitwear.
- » Many homeworkers are women. A recent survey suggested that 90% were women, 50% were from ethnic minorities and 46% had school-age children.
- » Since April 1999, homeworkers in the UK have been entitled to be paid the National Minimum Wage, but by 2001 only 25% were getting it and none in Bradford.
- » Many homeworkers are wrongly classified as self-employed and so are not eligible for employment rights.
- » Recent research found that 71% of the homeworkers interviewed were working unsociable hours, often at weekends or through the night to meet tight orders, often with significant health implications.

Information taken from the website of the National Group on Homeworking: [www.gn.apc.org/homeworking](http://www.gn.apc.org/homeworking)

| STATEMENTS ON HOMEWORKING  | AGREE<br>(✓) | DISAGREE<br>(✓) | CAN'T DECIDE<br>(✓) |
|--|--------------|-----------------|---------------------|
| Homeworking is good because it allows women to fit paid work in with their work in the home.                               |              |                 |                     |
| Homeworking provides work for women who have few skills.   |              |                 |                     |
| Homeworkers should have higher rates of pay for the work they do.  |              |                 |                     |
| Homeworkers should be registered and their conditions of work checked up on.   |              |                 |                     |
| Homeworkers should pay tax on their earnings.  |              |                 |                     |
| People who employ homeworkers should make sure they get regular work.  |              |                 |                     |
| Homeworkers should have to buy their own machinery (like sewing machines) because they also use it for their own purposes. |              |                 |                     |
| If homeworkers' rates went up, fewer women would claim benefits.   |              |                 |                     |
| Homeworkers should join a trade union.   |              |                 |                     |
| Employers should pay towards electricity used by homeworkers.  |              |                 |                     |

### snooping? – monitoring people at work

#### DESCRIPTION

Young people are increasingly used to sending e-mails and accessing the internet. However, they need to be aware that in a workplace setting there are rights and responsibilities associated with such communications. The limits imposed on the personal use of company property and systems need to be understood even by students attending work placements. The case studies here highlight some of the issues concerned with employers monitoring their employees at work.

#### LEARNING OUTCOMES

- » Young people understand the limitations on the personal use of employers' property particularly in relation to e-mails, internet access and telephone use.
- » Young people understand the importance of employers' rules on the use of ICT.

#### METHOD

Ask students to work in groups of three or four and give out copies of the handout – *snooping?* Ask groups to read through the four case studies and to think through their responses to the questions. Each group should record their responses.

Take each case in turn and ask one group to feed back their thoughts on the issues. Ask other groups if they have any points to add. Feed into the discussions the points made on the handout – *monitoring workers – snooping* (teachers' notes).

Invite any visitor who is present to comment on the views expressed.

# UNIT 2: rights and responsibilities at work

## a better way to work wales

### CASE STUDY TWO

## monitoring workers – snooping?

### TEACHERS' NOTES

There is now a code of practice covering monitoring workers. *The Employment Practices Data Protection Code: Part 3 Monitoring at Work (2003)* helps employers comply with the Data Protection Act (see TUC website at [www.worksmart.org.uk](http://www.worksmart.org.uk) or [www.dataprotection.gov.uk](http://www.dataprotection.gov.uk) for a copy of the Code). There are some general principles underpinning the Code:

- » Workers have legitimate expectations that they can keep their personal lives private and they are entitled to a degree of privacy at work.
- » Employers should be clear about the purposes of monitoring and should carry out an impact assessment of the monitoring that is proposed.
- » Staff should be informed that they are being monitored and why.
- » The benefits to the employer and others from the monitoring should outweigh the adverse impact on employees.

#### **Case A: VOICEMAIL**

John should have been informed that other people would access his voicemail in his absence. There might be important calls that someone needs to reply to. He should also know if telephone calls and voicemail will be monitored. The subject of the messages from his girlfriend should be kept confidential by the manager. Perhaps he should have been advised to put a message telling callers that their message might be monitored by other people. John should think about who he gives his direct line number to.

#### **Case B: E-MAIL JOKES**

Employers can monitor e-mails sent by employees and most companies have a policy on use of e-mail and internet. Monitoring can pick up certain words and employees can be dismissed for forwarding obscene or other offensive material. However, it is insufficient to say that employees cannot forward 'offensive material' without defining what is meant by that. Employees must be told that their e-mails are monitored and what the penalties are for abusing the company system.

#### **Case C: HOLIDAY RESEARCH**

Jenni should be aware of the company's policy on private use of the internet. She should also be made aware of the fact that the company is monitoring the websites she visits from her work station. In this case, if private use of the internet is allowed she could have checked out with her line manager whether it was OK to download the holiday material during her lunch break.

#### **Case D: CCTV**

Where companies use video monitoring it must be justified and focused on particular areas of the workplace. In this case it would be legitimate to have a camera at the entrance to the building to monitor staff leaving and arriving, but not on everyone at their work stations. Companies do sometimes use covert or secret monitoring with concealed cameras or listening devices, but this is only usually justified when there is suspected criminal activity.

## CASE STUDY TWO

### snooping?– monitoring people at work

How much privacy do you have at work? What rights do you have to use your phone, e-mail and internet at work for personal reasons? How far is it fair for employers to monitor their employees?

Consider the following cases. Do you think the employee was right or wrong in what they did? What rights do you think they and the employer have in each case?

#### Case A: VOICEMAIL

John has been away from the office for a long weekend. When he returns he finds that a girlfriend has phoned and left several messages on his voicemail. His manager listened to the messages at the end of each day and tells John off for asking his girlfriend to phone him at work.

Was John's manager right to listen to his messages and to want to tell him off? Should John have given a girlfriend his work number?

#### Case B: E-MAIL JOKES

Peter was sent a joke as part of an e-mail group mailing from a friend who works in another office. The joke (which was funny and relevant to life in the company) included two mild swear words. Peter forwarded the e-mail and attachment to his mates working on different floors using the company intranet. Peter is called to a disciplinary meeting for inappropriate use of e-mail.

Is it fair that Peter should be at risk of being dismissed? Is it right that the company should monitor all e-mail messages?

#### Case C: HOLIDAY RESEARCH

Jenni is planning her annual summer holiday and surfs the web during her lunch break for good deals. She downloads photos of some Greek island hotels and some short holiday brochures. She is called in to see the manager accused of using company facilities for private use.

Is it right that Jenni should be disciplined for what she did? What rules should apply to employees accessing the internet at work?

#### Case D: CCTV

Gini works for a company that has informed its staff that CCTV cameras have been installed to monitor employees at the start and end of the day. They are concerned about poor timekeeping and staff leaving early.

Is it right that all staff should be videoed at their workstations?

# UNIT 2: rights and responsibilities at work

## a better way to work wales

### DEBATING ACTIVITY

## the adult minimum wage for 18–21 year olds

### DESCRIPTION

This activity aims to encourage discussion about Minimum Wage rights. A TUC survey of young people in 2002 showed widespread ignorance of the Minimum Wage – its rates and to whom it applied. Students are presented with various statements representing arguments for and against giving 18-21 year olds the adult rate. The statements can be used flexibly for discussion exercises or as preparation for a classroom debate.

### LEARNING OUTCOMES

- » Young people will understand the minimum wage rights for young workers.
- » Young people will develop their own opinion on the issue of whether the adult Minimum Wage should be given to 18-21 year olds.

### METHOD

The Minimum Wage rates change from time to time and from October 2009 the rates are £5.80 for adults over 22 (the adult rate) and £4.83 for 18-21 year olds (the Development rate). Young people aged 16-17 have a minimum rate of £3.57 from October 2009.

**Up-to-date information on the Minimum Wage can be found on the Directgov website [http://www.direct.gov.uk/en/Employment/Employees/Pay/DG\\_10027201](http://www.direct.gov.uk/en/Employment/Employees/Pay/DG_10027201)**

Distribute the handout and ask students in pairs to discuss and agree their answers to the three starter questions. You may want to ask them about hourly rates of pay that they or older siblings receive compared to the Minimum Wage.

You can ask the pairs to read through the statements and decide which support and which are against 18-21 year olds receiving the full adult Minimum Wage rate of £5.80. Then ask each group to discuss where they stand on this issue. Collect feedback from groups on what they thought the best arguments for and against were. Then take a class vote.

Lead a further discussion on whether 16-17 year olds should be paid a higher rate than £3.57? Should it be the same as 18-21 year olds or not? Take a second vote on this issue.

Ask students who are working what is their hourly rate of pay. Ask what could be done in those cases where they are being paid less than the Minimum Wage?

Invite any trade union visitor who is present to comment on the views expressed.

## the adult minimum wage for 18–21 year olds

- Many young people do not know what rights they have to the Minimum Wage. Do you know the hourly rate of pay for the Minimum Wage for adults?
- a. £5.85   b. £5.80   c. £4.25
- Do you know from what age the full Minimum Wage is paid?
- a. 18   b. 21   c. 22
- Do you know what rate is paid to 16-17 year olds?
- a. less than the rate for 18 year olds   b. same as the rate for 18 year olds   c. no Minimum rate

### SHOULD THE ADULT MINIMUM WAGE BE PAID TO PEOPLE AGED BETWEEN 18-21?

#### ARGUMENTS FOR AND AGAINST

1. Young people work as hard as older people and should get paid the same rate.
2. This would add a lot to employers' costs and lead to increased prices.
3. A higher rate for 18-21 year olds would make it harder for them to get jobs.
4. Many employers do not spend money on training young people. They cannot justify paying lower wages to younger people because they are spending money on their training.
5. Paying 18 years olds the adult Minimum Wage would encourage them to leave education and that would be bad for them and the country.
6. There should be one Minimum Wage rate paid to everyone over 16 doing a job where they are not being trained. It is unfair to discriminate against people because of their age.
7. People with greater experience should get paid more than 18 year olds as they will do their jobs better.
8. Paying a higher Minimum Wage to college and university students would encourage them to spend even more hours working and neglecting their studies.
9. An adult Minimum Wage for 18 year olds would encourage some employers to employ even younger people and migrants illegally.
10. You can die for your country at 18 so why should you not get the same Minimum Wage as a 22 year old?

# UNIT 2: rights and responsibilities at work

## a better way to work wales

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### ASSIGNMENT – SHEET 1

## attitudes towards trade unions and rights at work

In this assignment you will be carrying out some research on people's attitudes towards trade unions. A few years ago, NOP, a national survey research organisation, carried out some research into this topic and produced some interesting findings which are summarised on sheet 3 of this assignment. You will be using the same questions that NOP used to see whether your sample agrees with the national survey.

The research for the following assignment can be carried out either during your work experience or during a workplace visit. Or you could collect the information at your part-time job, if you get permission from your supervisor.

The evidence from this assignment can be used to illustrate your use of the key skills listed in the box and could form part of your portfolio of evidence for a qualification.

#### KEY SKILLS – LEVEL 2

**Application of Number:** Interpret information from different sources

**Application of Number:** Interpret results and present findings

**Communication:** Contribute to discussions

**Information and Communication Technology:** Develop information

**Information and Communication Technology:** Present information

**Working with Others:** Plan activities to identify what needs to be done and help allocate responsibilities

**Working with Others:** Organise tasks to meet your own responsibilities and support co-operative working

# UNIT 2: rights and responsibilities at work

a better way to work wales

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## ASSIGNMENT – SHEET 1

### TASK ONE

Work in small groups and decide how many people your group will interview. Remember that a survey needs a reasonably large number of respondents: some men, some women and people of different ages and social class. You may decide to carry out the research as a group or to divide the work up between you. Using the questionnaire provided, carry out your research and collect your data.

### TASK TWO

Devise a method in your group for collecting together all the data from your questionnaire. Enter the data on a spreadsheet (if using information technology) or on a table. Use graphs and other diagrams to illustrate what you have found.

### TASK THREE

Look at the national results to the survey on trade unions given on sheet 3 of the assignment. Compare the findings to your own and enter these findings on a graph so that they can be compared to the findings of your group. Explain any differences or similarities.

### TASK FOUR

Prepare a presentation using overhead projector slides to explain what you have found and the extent to which your findings compare with the findings of the NOP research. How much have attitudes changed?

# UNIT 2: rights and responsibilities at work

## a better way to work wales

### ASSIGNMENT – SHEET 2

## negotiating with employers at work

### SURVEY

NOP carried out the largest survey ever on attitudes towards trade unions and rights at work. Using the same questions, interview a representative sample of people at work about their views.

|    | STATEMENTS   | AGREE<br>(✓) | DISAGREE<br>(✓) | DON'T KNOW /<br>NEITHER (✓) |
|----|--|--------------|-----------------|-----------------------------|
| 1  | Companies whose staff feel involved in making important decisions are more likely to succeed   |              |                 |                             |
| 2  | Trade unions provide vital protection for many groups of workers   |              |                 |                             |
| 3  | Most employers would force their employees to work for less money if they had a chance   |              |                 |                             |
| 4  | Employees feel more involved in company decisions where employers talk to unions   |              |                 |                             |
| 5  | In the past unions had too much power, but things have gone too far the other way  |              |                 |                             |
| 6  | Trade unions hold back companies in today's competitive world  |              |                 |                             |
| 7  | Trade unions are no longer relevant in today's world   |              |                 |                             |
| 8  | If they are in trouble with their employer, all employees should have the right to be represented by someone of their choice, whether a trade union representative or someone else |              |                 |                             |
| 9  | Employers who don't provide any training for their staff should be made to do so   |              |                 |                             |
| 10 | If a majority of staff choose to be represented through a union, employers should be required by law to negotiate with a trade union   |              |                 |                             |
| 11 | If it is easier for employers to sack staff in Britain than it is in the rest of Europe, then there will be more unemployment in Britain   |              |                 |                             |
| 12 | Providing more right for people at work will simply lead to more conflict and strikes  |              |                 |                             |
| 13 | Unions only get in the way of a proper relationship between employers and their staff  |              |                 |                             |

## negotiating with employers at work

### SURVEY RESULTS

Results of an NOP national survey (1,499 interviews with 462 working trade union members, 522 working non-union members, 507 non-working men and women).

|    | STATEMENTS   | AGREE<br>(✓) | DISAGREE<br>(✓) | DON'T KNOW /<br>NEITHER (✓) |
|----|--|--------------|-----------------|-----------------------------|
| 1  | Companies whose staff feel involved in making important decisions are more likely to succeed   | 82%          | 6%              | 12%                         |
| 2  | Trade unions provide vital protection for many groups of workers   | 80%          | 8%              | 12%                         |
| 3  | Most employers would force their employees to work for less money if they had a chance   | 74%          | 18%             | 12%                         |
| 4  | Employees feel more involved in company decisions where employers talk to unions   | 68%          | 13%             | 19%                         |
| 5  | In the past unions had too much power, but things have gone too far the other way  | 56%          | 19%             | 25%                         |
| 6  | Trade unions hold back companies in today's competitive world  | 24%          | 47%             | 29%                         |
| 7  | Trade unions are no longer relevant in today's world   | 13%          | 72%             | 15%                         |
| 8  | If they are in trouble with their employer, all employees should have the right to be represented by someone of their choice, whether a trade union representative or someone else | 92%          | 2%              | 6%                          |
| 9  | Employers who don't provide any training for their staff should be made to do so   | 82%          | 5%              | 12%                         |
| 10 | If a majority of staff choose to be represented through a union, employers should be required by law to negotiate with a trade union   | 75%          | 9%              | 16%                         |
| 11 | If it is easier for employers to sack staff in Britain that it is in the rest of Europe, then there will be more unemployment in Britain   | 48%          | 23%             | 29%                         |
| 12 | Providing more right for people at work will simply lead to more conflict and strikes  | 20%          | 59%             | 21%                         |
| 13 | Unions only get in the way of a proper relationship between employers and their staff  | 16%          | 61%             | 23%                         |

# UNIT 2: rights and responsibilities at work

## a better way to work wales

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### BRIEFING NOTES

## briefing notes for trade unionists and other visitors

This unit of work is part of a set of materials developed by the TUC for use with young people in schools and youth centres. The materials aim to help young people acquire knowledge and understanding about the changing nature of work and careers, employment rights and the role of trade unions, and to develop skills to manage their own careers and negotiate decisions throughout their working lives.

**The specific aims of the unit on *rights and responsibilities at work* are to:**

- » introduce young people to their legal position in relation to rights at work
- » promote discussion about rights and responsibilities both at work and on work experience including Young Apprenticeship
- » provide opportunities for young people to work with trade unionists in the classroom.

The following brief notes give suggestions about the role of a trade unionist and other visitors in supporting each of the nine activities in the unit.

### rights and wrongs

In this short introductory activity, young people work in groups of three, each taking a different role: employee, employer and trade unionist. The young person in role as a trade unionist has some brief notes on employment law. Each small group is given a series of scenarios involving an employee's rights. The student in role as trade unionist refers to the notes and helps the other two come to a decision about the employee's rights. The visiting trade unionist may be needed to help the group understand what the legal position in each scenario is. The visitor should try not to give the students the answer before they have had time to give each case some consideration. At the end of the session, the teacher or youth worker will ask for comments on the decisions groups made.

### my rights and responsibilities on work experience

This work experience preparation activity involves students thinking about what they expect their rights and responsibilities to be while on work experience. They are given a checklist and have to discuss it in pairs. The role of the visitor in this activity is to help them consider situations in which rights and responsibilities would not be self-evident.

### my rights and responsibilities as a young apprentice

This is a classroom activity on the rights and responsibilities facing young people on extended work placements such as those undertaken by Young Apprentices.

# UNIT 2: rights and responsibilities at work

## a better way to work wales

### BRIEFING NOTES

young apprentice – what would you do?

A discussion exercise based around eight scenarios that raise issues of respect, discipline, equal opportunities, health and safety and welfare as they might affect Young Apprentices. Trade union visitors have an important role in reassuring young people that they are unlikely to experience such problems and that there is lots of support available if they do.

two homeworkers' stories

This case study is an account of two women's experiences of homeworking before and after the introduction of the National Minimum Wage in 1999. Young people may not be aware of the conditions under which many homeworkers work. Discussion questions are provided with the case study. It would be helpful to the group leader if the visitor had given some thought to these questions and could provide other examples from his/her own experience. The group leader will ask for the visitor to sit in on some of the discussions and to add his/her own comments at the end.

snooping? – monitoring people at work

This activity is based on the new Data Protection Code for monitoring staff at work. It raises issues about the rights and responsibilities of employers and employees in this sensitive area. It is also relevant to students going on work experience as they may have access to the internet, e-mail and intranet.

adult minimum wage for 18–21 year olds

This is a discussion / debating activity on whether or not the adult Minimum Wage should be applied to 18-21 year olds. Students prepare arguments for or against a motion and the debate ends in a vote.

attitudes towards trade unions and rights at work.

The assignments in this set of materials provide young people with investigative work that they can carry out either during work experience or during part-time jobs. The assignments aim to help them build up evidence of their Key Skills for their portfolios. The assignment on Attitudes Towards Trade Unions and Rights at Work introduces them to the findings of a national research survey carried out by NOP in 1996. The assignment requires students to replicate the research with their own sample of respondents and to compare their findings with NOP's findings. They then make a presentation of their findings with possible explanations for similarities or dissimilarities. As a visitor, you could take part in the panel to which students present their findings.

bullying

The roleplay concerns a case of bullying of a young kitchen worker in a large hotel. One of the roles is that of a trade union official and you may be asked to brief students taking on this role. During the debriefing listen to the feedback from students taking different roles and in particular consider whether the action proposed by the Personnel Managers is in line with the ideas for combatting bullying put forward by the trade unions (see *Action to Combat Bullying* on the Briefing Sheet for Trade Union Official).

# UNIT 2: rights and responsibilities at work

## a better way to work wales

### SIMULATION

## bullying

written by Julia Fiehn; acknowledgements to Dave Turnbull, TGWU

### DESCRIPTION

Workplace bullying affects the mental, physical and emotional well-being of the victim. It also adversely affects companies because it can lead to people taking time off work and, sometimes, leaving their jobs altogether. Few companies wish to lose qualified and trained staff. This four-person roleplay highlights some of the issues related to bullying. It concerns the reactions of various people who work in a large hotel to a claim by a Kitchen Worker that he/she is being bullied by the head chef. The four roles are: the Kitchen Worker, an Under-chef who has witnessed the bullying, the Personnel Manager at the hotel and a local Trade Union Official. The *Dignity at Work* project offers advice on how to combat workplace bullying. For more information visit [www.dignityatwork.org](http://www.dignityatwork.org).

### LEARNING OUTCOMES

- » Young people consider the impact of bullying at work and understand more about its mental, physical and emotional effects.
- » They examine how victims can get help and learn what can be done by management and trade unions to prevent bullying.

### METHOD

Put the young people into groups of four. Explain the scenario:

.....  
: You are employed in a large hotel which is part of a national hotel chain. Some of the staff at :  
: the hotel are members of a trade union, some are not. A young Kitchen Worker, who has been :  
: employed for six months, has been taking time off work recently and is showing signs of being :  
: very upset. Eventually he/she goes to the Personnel Manager and says that the Head Chef is :  
: constantly picking on him/her, shouting and throwing things during the shift. :  
:.....

Explain that there are four roles in the roleplay - the Kitchen Worker, the Under-chef, the Personnel Manager and the local Trade Union Official. Ask each group to decide among themselves who will take on which role. Give out the role cards. If you have a visiting trade unionist with the group, you may want him/her to brief the young people taking the trade union roles. If not, you can use the briefing sheet on page 34 to give more information to the students playing the trade unionist role.

## bullying /2

Explain that there will be three short roleplays, each lasting about five minutes. You should manage the time and introduce the situations for each set of roleplays. The situations – in which the participants meet each other in pairs - are explained at the side of each role card. Read these out or make sure that the students read them carefully.

**The paired roleplays are as follows:**

**SITUATION 1**

Kitchen Worker meets Trade Union Official

*while*

Personnel Manager meets Under-chef

**SITUATION 2**

Kitchen Worker meets Personnel Manager

*while*

Under-chef meets Trade Union Official

**SITUATION 3**

Kitchen Worker meets Under-chef

*while*

Personnel Manager meets Trade Union Official

When all the situations have been enacted, consider each case in turn and:

- » ask the Personnel Managers what action they have decided to take
- » ask the Under-chefs what they think of this decision, in the light of what they know
- » ask the Kitchen Workers whether they think the action is fair.

Finally, ask the Trade Union Officials whether the action is in line with the ideas for combatting bullying suggested by trade unions (see *Action to Combat Bullying* on the Briefing Sheet for Trade Union Official).

Summarise the conclusions of the group and ask the visiting trade unionist to comment on the outcomes.

# UNIT 2: rights and responsibilities at work

## a better way to work wales

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### **SIMULATION**

## bullying

### BRIEFING SHEET FOR TRADE UNION OFFICIAL

Over half the population experiences or witnesses bullying at some time in their working lives. It is not just a school playground problem. Bullying at work takes many forms:

- » constantly criticising someone's work
- » dumping unpopular tasks on a victim
- » marking down performance
- » setting impossible targets or deadlines
- » withholding information or training
- » interrogating a person when they return after sick leave
- » making snide remarks and offensive jokes
- » being offensive or threatening
- » deliberately excluding people from conversations or social activities
- » spreading unpleasant rumours.

Bullying causes stress and related illnesses, affects confidence and leads to poor performance. It is costly to employers as well as to the victim.

### **Action to Combat Bullying**

Many trade unions are now taking action to combat bullying.

1. They try to persuade employers to adopt policies on the treatment of bullying. These policies include:
  - » setting up grievance procedures for the victim to follow
  - » designating specially-trained contact officers from whom the victims can get advice and help
  - » taking steps against bullies under company disciplinary procedures, e.g. warnings, compulsory transfers, dismissal.
2. They advise victims:
  - » not to respond aggressively
  - » to contact a local trade union representative
  - » to check whether the employer has a policy on bullying and if so to follow the procedures
  - » to keep a diary of incidents
  - » to try talking to the bully to explain the effect of the bullying
  - » to put a complaint in writing to management if necessary
  - » not to be put off by management not wanting to tackle the bully
  - » to get witnesses
  - » to see a doctor and get help to cope with the stress
  - » to consider counselling or assertiveness training.

Information from TGWU

### KITCHEN WORKER

### BULLYING ROLE CARD

You have just started work at the Hillview Hotel. It is part of a luxury hotel chain. You were delighted to get the job because you have always wanted a career in catering. You have just successfully completed a Hospitality and Catering NVQ at the local college. You hope that this job will start you on a career in the catering trade, perhaps one day leading to a post as a chef.

You were very nervous when you started work and made a few silly mistakes. One day you spilt salt in a pot of mousse that the Head Chef was preparing and spoiled the whole dish. Another time you smashed some glasses when you slipped on a wet floor.

You are very keen to learn, however, and have worked hard.

The Head Chef seems to have taken against you. He shouts at you all the time, swears at you and calls you stupid. You find you can't do anything right and it is upsetting you. Last week he threw a saucepan at you and it hit you in the stomach. You took the next day off, but while you were off work, you rang the local trade union office. You have recently become a member. You told them you wanted some advice and were thinking of leaving your job. They told you they could help with the bullying problem and that a trade union local organiser would visit you at work.

When you got back to work, you told the chef that you could not take much more. He said, 'You know where the door is'.

#### SITUATION 1

The Trade Union Official comes to your hotel and meets you during your lunch break. You go for a stroll in the hotel grounds because you do not want to be seen or heard talking with the trade unionist.

#### SITUATION 2

You have been advised to report the series of incidents to the Personnel Manager at the hotel and to explain your side of the case. You suspect that the Personnel Manager has already heard a rumour about the situation.

#### SITUATION 3

You know that one of the under-chefs has witnessed much of the bullying. You walk to the station with the Under-chef to find out whether he/she will support you if you make a complaint.

# UNIT 2: rights and responsibilities at work

## a better way to work wales

### SIMULATION

#### UNDER-CHEF

#### BULLYING ROLE CARD

You have been working for the hotel chain for five years, two of which have been at the Hillview Hotel. You have a good record and in a recent appraisal it was suggested that you might soon be promoted.

The Head Chef at the Hillview has a nasty temper and you have been on the wrong end of it yourself sometimes. He takes great pride in his dishes and he gets extremely stressed under the pressure of peak periods. You know that the new Kitchen Worker is suffering, as you did when you started, and that he/she is very unhappy at the moment.

You saw the head chef throw a pan at the new worker and thought that the Head Chef had gone a bit too far. You went to the Personnel Manager privately to report the incident, because you have a health and safety role in the kitchen and there could have been a serious accident.

#### SITUATION 1

You drop in to the Personnel Manager's office, without an appointment, because you are worried about the pan-throwing incident. You explain the whole situation.

#### SITUATION 2

When you are leaving work one day, you see an old friend you used to work with leaving the Hillview. The friend was a keen trade unionist and you have heard that he/she is now a local organiser. You stop your friend for a chat.

#### SITUATION 3

The young Kitchen Worker tries to chat with you on the way to the station about the Head Chef's behaviour. You are reluctant to get involved.

#### PERSONNEL MANAGER

#### BULLYING ROLE CARD

You have been working in hotels for a number of years and you are aware how stressful they can be to work in. The customers have no idea what goes on 'behind the scenes', but you do. Much of your work is involved with sorting out disputes between staff. You do know, for example, about the famous temper of the Head Chef. However, the hotel is very proud of its reputation for the finest food in the area, and the management were delighted to secure the services of this particular chef.

In the past a few staff have complained about his shouting, but you think that anyone choosing a career in catering is going to have to get used to the hurly-burly of kitchen life.

You are aware of recent concerns among personnel professionals about bullying at work. In fact, the hotel chain sent you on a course in the previous month. You know that some companies are adopting anti-bullying policies and you are probably going to be asked what the Hillview Hotel is doing about this.

#### SITUATION 1

You are in your office one afternoon when one of the Under-chefs drops in on you without an appointment. You have an important meeting with the hotel manager and you are a bit late already.

#### SITUATION 2

The new Kitchen Worker asks to see you. You suspect that this concerns the events in the kitchen that you have heard about.

#### SITUATION 3

You have asked the local Trade Union Official to meet with you at the hotel because you want to come to a satisfactory settlement of the alleged bullying incident. You know him/her from a recent conference.

# UNIT 2: rights and responsibilities at work

a better way to work wales

## SIMULATION

### TRADE UNION OFFICIAL

You are the local trade union organiser for hotel and catering staff. As you know from personal experience, hotel kitchens can be tough places to work. They can also be the scene of workplace bullying and intimidation. Your trade union takes bullying very seriously. You have recently been given the task of writing a policy on ways employers could draw up policies to combat bullying. You would like companies to adopt the union's ideas on this and have recently been involved in conferences for personnel staff.

A new member of the union telephoned you from home recently to say that he/she had been attacked by the Head Chef of the Hillview Hotel. You have heard of this chef and know that other staff have found him/her difficult to work with.

The Kitchen Worker is thinking of leaving the job and is asking advice. You agree to see the worker.

### BULLYING ROLE CARD

#### SITUATION 1

You meet the Kitchen Worker in the grounds of the hotel. The worker is very jumpy and does not want to be seen with you.

#### SITUATION 2

When you are leaving the Hillview Hotel after your chat with the Kitchen Worker, you see an old friend you used to work with. The friend is now an Under-chef at the hotel.

#### SITUATION 3

You have been asked by the Personnel Manager of the Hillview to meet at the hotel because he/she wants to come to a satisfactory settlement of the alleged bullying incident. You know the Personnel Manager from a recent conference on workplace bullying where you were a speaker.