

# Time off for union health and safety representatives

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Health and safety representatives are entitled to paid time off to carry out their role during their normal working hours. This includes when they are on training courses.

The law makes it quite clear that you are not expected to do your work as a health and safety representative in your own time, nor does it restrict the amount of time you can take off, so long as that amount of time is what is necessary for you to carry out your function.

Health and safety representatives are not covered by the same regulations as other workplace representatives such as stewards and learning representatives, and have stronger legal protection. Details of regulations can be found in [the safety representatives and safety committees regulations](#).

The amount of time a health and safety representative spends on being a representative can vary considerably. The average will be between one and two hours a week, but some spend far more. Also the amount of time can vary a lot from week to week.

Many employers seek to get trade unions to agree to a set amount of time off a week. This makes it easier for them to plan work, and usually only applies to senior or very busy safety representatives. In some circumstances, this may suit the employer and the health and safety representative. However, there is no requirement on the union to agree to this and most of the time it is best that a representative is free to take time off whenever they need it. This means that members can approach the rep at any time and they can deal with any problems as they arise. This may not always be possible if they work in a job where they cannot get away at any time, so some flexibility may be required.

A rep is also entitled to paid time off for any training that the union thinks they need. The law is very clear that it is the union, and not the

employer, who decides what training the rep requires, and so long as it is "reasonable" the employer must give them the time off with pay. The union should give the employer reasonable notice and it is possible for the employer to say that the rep cannot be given time off on a particular occasion, but they cannot simply refuse paid time off and should agree an alternative date as soon as practical.

It is good practice for a union representative to get basic training as soon as possible after they are appointed.

The amount a health and safety representative should be paid for any time off is what they would normally have got if they were working, including any bonus or overtime. If their pay varies a lot then they are paid the average.

Unfortunately, many health and safety representatives find that if they do take time off to carry out their duties, as there is no one to cover their work, they still have the same amount to do when they get back, so they end up working longer hours or carrying out a lot of their health and safety representative functions in their own time. If a rep has a fixed workload then a rep should seek to negotiate with the employer a way of ensuring that the amount they are expected to do is reduced by the amount they are likely to spend carrying out their role as a health and safety representative.

A good employer will recognise the benefits of a health and safety representative and seek to support them and most representatives have very few problems getting paid time off. If, however, a rep has any difficulties they should contact their union for advice immediately.

For details of training courses for health and safety representatives contact your union legal department. Details of TUC courses are available from [unionlearn](#).

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