

How unions make a difference on health and safety

The Union Effect

A TUC guide to the evidence.

Section 1

Introduction

The most effective tool that we have in ensuring good health and safety at work is trade unions, because organised workplaces are safer workplaces. That is one of the main reasons that people join and stay in a union. When asked, 70% of new trade union members considered health and safety a “very important” union issue – more even than for pay.

The public also recognise the importance of unions having a key role in health and safety. An NOP poll found that 98% of those asked believed “people at work should have the right to be represented by a trade union if they want to on health and safety”

We know that the 100,000 trade union safety representatives make a difference because trade union involvement:

- Helps reduce injuries at work
- Leads to reductions the levels of ill-health caused by work
- Encourages greater reporting of injuries and near-misses
- Makes workers more confident
- Helps develop a more positive safety culture in the organisation.
- Saves the economy many millions of pounds.

Section 2

Evidence

There is a wealth of evidence of the benefits of trade unions to health and safety that has been produced over the past 20 years, both in the UK and abroad. In 1995 a group of researchers analysed the relationship between worker representation and industrial injuries in British Manufacturing. It found that those employers who had trade union health and safety committees had half the injury rate of those employers who managed safety without unions or joint arrangements¹. Several other analysis of the same figures have all concluded that the arrangements that lead to the highest injury rates are where management deals with Occupational Health and Safety without consultation². In 2004 a further analysis of the data confirmed that “the general conclusion that health and safety should not be left to management should be supported.”³

In 2007 the same authors once again found lower injury rates in workplaces with trade union representation the effects were deemed to be significant, by contrast the effect of management alone deciding on health and safety was not significant.⁴

A study of 1998 figures also confirmed that “unions gravitate towards accident prone workplaces and react by reducing injury rates”. This study showed that where there is a union presence the workplace injury rate is 24% lower than where there is no union presence.⁵ More recently a study of manual workers published in 2008 confirmed that workers in unionised workplaces were less likely to have a fatal injury.⁶

But it is not only injuries that trade unions help reduce. It is also ill-health. Another study in 2000 found that “The proportion of employees who are trade union members has a positive and significant association on both injury and illness rates.” It went on to say that “the arrangements associated with trade unions...lower the odds of injury and illness when compared with arrangements that merely inform employees of OHS issues”.⁷

¹ Reilly, Paci and Holl “unions, safety committees and workplace injuries” BJIR Vol. 33, 1995

² Beaumont and Harris, Occupational health & Safety, 23, 1993, Millward et al, Workplace Industrial relations in Transition, 1992.

³ Nichols, Walters and Tasiran, Working Paper Series No 48, School of Social Sciences, Cardiff, 2004.

⁴ Nichols, Walters and Tasiran,, Trade Unions mediation and industrial safety, Journal of Industrial Relations 2007.

⁵ Litwin, Trade Unions and Industrial Injury in GB, LSE, 2000

⁶ Grazier “Compensating wage differentials for risk of death in Great Britain, Swansea University, 2007

⁷ Robinson and Smallman, The Healthy Workplace? Judge Institute of Management Studies, 2000

In 2003 the Health and Safety Executive (HSE) ran a number of pilots where trade union appointed "Worker Safety Advisors" went in to non-unionised organisations. The report into the pilot showed that over 75% of employers said they had made changes as a result and almost 70% of workers had seen an increase in the awareness of health & safety.⁸

In January 2007 the DTI (now BIS) published a report which concluded that safety reps at 2004 prices save society between £181m and £578m each year as a result of lost time reduction from occupational injuries and work-related illnesses of between 286,000 and 616,000 days.⁹

There is also a lot of evidence from outside the UK. In Ireland a group of academics looked at the construction industry in both Northern Ireland and the Irish republic. It concluded. "the strongest relationship with safety compliance is the presence of a safety representative"¹⁰ Throughout Europe there is evidence of the effect that unions can have, which is why the European Commission introduced a directive which says that all EU countries must introduce regulations to ensure that employers consult on health and safety.

In France for instance a 2005 survey found that workers with a health and safety committee were twice as likely to have been given training in health and safety in the previous 12 months, or to have received written safety instructions. They were also more likely to be provided with protective equipment.¹¹

In Canada a study by the Canadian Ministries of Labor found that union supported health and safety committees have "a significant impact on reducing injury rates",¹² while a report by the Ontario Workplace Health and Safety Agency found "78-79% of unionised workplaces reported high compliance with health and safety legislation with only 54-61% of non-unionised workplaces reporting such compliance."¹³

Another Canadian study, published in September 2015 showed unionised construction workers are significantly less likely than their non-unionised counterparts to be seriously injured on the job. The report examined Workplace Safety and Insurance Board claims data from more than 40,000 construction firms. It found that workers with unionised firms reported 23 per cent fewer injuries that required time off than those at non-union shops. Unionised workers were also 17 per cent less likely to experience muscle, tendon, and nerve injuries that affect mobility. They were almost 30 per cent less likely to suffer critical injuries — defined as those that place workers' lives in jeopardy¹⁴.

⁸ <http://www.hse.gov.uk/research/rrhtm/rr144.htm>

⁹ Workplace representatives: A review of their facilities and facility time, DTI 2007

¹⁰ <http://www.niso.ie/documents/conbehav.pdf>

¹¹ DARES Ministère de Travail, des relations sociales et de la Solidarite, Paris 2005

¹² Canadian Ministries of Labour 1993 – quoted in Hazards magazine

¹³ Ontario Workplace Health and Safety Agency studies 1994 and 1996

¹⁴ Amick et al. Protecting Construction Worker Health and Safety in Ontario, JOEM, 2015

In the USA, a 1991 study found that unions dramatically increased enforcement of the Occupational Safety and Health Act in the manufacturing sector. A more recent study in New Jersey found that the greater the level of worker involvement in safety committees the fewer the injuries and illnesses reported.¹⁵

Safety Representatives have also been shown to have a major effect in changing the safety culture in Australia,¹⁶ and unionised workplaces in Australian are three times more likely to have a Safety Committee, and twice as likely to have undergone a management safety audit in the previous year than non-unionised workplaces.

However it is not only academic researchers who have said that the union effect works.

The Health and Safety Executive's 2009 strategy stated "There is strong evidence that unionised workplaces and those with health and safety representatives are safer and healthier as a result.

In 1995, the World Bank said "Trade unions can play an important role in enforcing health and safety standards. Individual workers may find it too costly to obtain information on health and safety risks on their own, and they usually want to avoid antagonizing their employers by insisting that standards be respected."

¹⁵ Eaton and Nocerino. Industrial relations, 2000

¹⁶ Beaumont and Harris, Occupational Health and Safety 23, 1993

Section 3

So how does it happen?

One of the reasons unions make such a difference is that they ensure that their safety representatives are trained. In 1997, a survey for the HSE into the chemical regulations (COSHH)¹⁷ found that Safety representatives were far more knowledgeable than their managers. 90% of safety representatives were aware of the main principles of the main chemical safety regulations. Over a third of managers had not even heard of the regulations. The survey also found that over 80% of safety representatives had received training in health and safety in the last two years, compared to 44% of managers.

Every year the TUC trains around 10,000 safety representatives, and many more are trained through their unions. In those rare occasions where there are non-union safety representatives, they get their training from management, or management appointed consultants, so are less able to challenge what management tell them.

Also safety representatives know the workplace far better than management as they are aware of what really goes on. They also act as a channel for individual workers to raise their concerns. A HSE research paper concluded that "Health and safety committee representatives provide a diverse channel for reporting events and hazards." It added "union backing, even if it is just knowledge that additional support is available if required, is invaluable"¹⁸

Unions often realise the risks long before management. Many risks were first identified by unions, sometimes after management ignored or hid early warnings. It was unions that highlighted the dangers of asbestos and campaigned for a ban many years before the government introduced one. If action had been taken then, it could have prevented many of the 5,000 annual deaths that are caused by asbestos. Unions also unearthed the risks posed by many hazardous chemicals such as carbon disulphide and vinyl chloride monomer.

Unions were the first to raise major concerns over levels of violence in the workplace, and RSI, and the effects of passive smoking. When unions first raised the issue of stress, employers and the media argued it was nonsense. It is now recognised that workplace stress effects

¹⁷ <http://www.hse.gov.uk/workers/involvement/involvement.pdf>

¹⁸ http://www.hse.gov.uk/research/crr_pdf/1997/CRR97144.pdf

around half a million people. Even today it is unions and groups of safety representatives that are highlighting the potential risks within the semi-conductor industry, or from nano-technology.

It is also a simple fact that consultation with the workforce can have a considerable effect in changing the safety culture in a workplace. A research paper by the Health and Safety Laboratory¹⁹ gives a number of case studies that showed that involving the workforce lead to real benefits. In one case there was a drop in accidents from 1.2 to 0.1 per 100,000 work hours.

Where staff have safety representatives, and safety committees they know that they have a voice. That makes them more willing to raise issues. Unions also help make their members more aware of safety issues in the workplace.

However involving workers directly, without union representation is far likely to be successful. Research conducted in 2010 for both ROSPA and the HSE found that where worker involvement happened in non-unionised workplaces is was more likely to follow the employer's agenda, while unionised safety representatives were more likely to be empowered to set an agenda and be challenging.²⁰

¹⁹ http://www.hse.gov.uk/research/crr_pdf/1999/CRR99214.pdf

²⁰ Fidderman, McDonnell, Worker involvement in health and safety: what works?, HSE, 2010

Section 4

Making a difference

We also know that union involvement makes a real difference in the workplace. There have been a wide range of case studies that have shown the benefits of union involvement in health and safety. Here are just a few examples:

In 2006 a joint management union campaign at Devonport Royal Dockyard aimed at better communications and involvement in safety reduced accidents by 35% and increased profits by 8%

A 2013 campaign in Weetabix to increase union involvement in health and safety, with the support of management, led to a better than 30% reduction in all work-related injuries across all sites in the first year.

In a Somerfield distribution centre in Scotland, the union safety representatives did a survey of MusculoSkeletal Disorders. This was raised at the joint safety committee who developed an action plan that led to a 50% reduction in manual handling injuries over 2 years.

After an critical HSE inspection at Bristol City Council Parking services in 2008 the employers and management developed a plan which included giving full-time release to one of the safety representatives, reviewing risk assessments, better training, and new communication equipment. The fall in sickness absence, reduction in incidents of violence against staff and increase staff moral are estimated to have save the employer over £36,000 in the first year alone.

In the paper industry a joint union management initiative, which increased the involvement of safety representatives, led to a reduction in major and fatal injuries in the industry by a quarter over three years.

In Nestles the union was concerned over the large number of injuries caused by slips (a third of the total injuries). They worked out a joint plan with management which let to a cut in slipping injuries of 60% over three years. They then looked at manual handling injuries and reduced them by 40%. Because unions share information far more effectively than management the approach used in Nestles was used in other companies such as KP Foods

Ashby and Cavaghan and Gray, with similar reductions in injury rates achieved.

Union involvement also helped reduce reportable accidents by 38% in a division of GKN through providing joint union training to managers, supervisors and safety representatives.

Following three prosecutions, Heinz, the food company, reorganised their safety management system and involved safety representatives in all aspects of risk assessment and accident investigation. Reportable accidents have decreased by over 50%

Following a fire in a Yorkshire plant, Hickson and Welch, a chemical company, the union and management set up local safety committees, involved safety representatives in all safety procedures on site and asked the union to provide joint training. Injuries have fallen by 70% and the company and union won a European safety award.

Within Tesco, union safety representatives raised an issue of the width of one type of checkout which was causing health problems. This led to the belt being narrowed. In new stores a totally new type of checkout is used which was designed with union involvement from scratch and which helps to greatly reduce injuries among checkout staff.

Section 5

The need for more rights

The Health and Safety at Work Act, which came into force in 1974, recognised the importance of worker involvement. It stated that employers have a legal duty to consult and also set up the current system of safety representatives. Despite this legal requirement and the overwhelming evidence that consultation saves lives and prevents injuries, many employers do not consult with their workforce, yet we do not know of one case where an employer has been prosecuted for this.

Huge improvements in health and safety could be achieved if the HSE and local authorities simply enforced the existing regulations in workplaces up and down the country where employers are simply not consulting with their staff over safety issues, despite the legal requirement on them to do so.

The rights we have are important, but they could be better. At the moment safety representatives can raise any safety matter they want with their employer – but there is no legal duty to respond. An employer can legally ignore any question a safety representative raises.

In Australia the safety representatives can issue a form of Improvement Notice, called PINS. These have led to increased compliance and are broadly supported by both sides of industry, and the government. An HSE report into these said they could be equally effective in the UK.²¹

There are also restrictions on those workers a safety representative can act on behalf of. The current regulations are suited more to a time when most workers were employed within a large site and everyone on the site had the same employer. If you have workers working in the same workplace, but with different employers then the safety representative can only represent the workers employed by his or her own employer. Given the high levels of out-sourcing and agency working, the law does not reflect the new ways of working.

²¹ <http://www.hse.gov.uk/research/misc/pinreport.pdf>

The TUC wants to see some simple changes to the safety representatives regulations to make them more effective and help reduce injuries and illnesses caused by work. These changes include:

- Roving safety representatives who can cover a group of small workplaces, or the workers of contractors or agencies in the same workplace.
- The right to issue improvement notices to employers who are not complying with health and safety regulations, and to call in an enforcement officer if the employer does not put things right.
- A requirement on employers to respond to issues raised by safety representatives.

Unions make a difference. We reduce injuries, improve ill-health and help change the safety culture within an organisation.

Good employers are already working with unions. We need the rest to start recognising the benefits that unions can bring. We also need the HSE to do more to ensure that employers are consulting with their staff so that everyone can benefit from the union effect.

Find out more

For more information about the campaign, go to:
tuc.org.uk/healthandsafety

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