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GMB

UNION

People Power: Trade Union Action on Covid-19

IOSH Chiltern Branch

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GMB – General Union operating across all sectors of UK economy

620,000 members, split 50:50 public and private sector

We organize in many of the UK's largest companies – Asda, National Grid, G4S, British Gas, British Airways

Health & Safety is a key issue for members - 30,000 Safety Reps

We have seats on every major HSE committee – CONIAC, PABIAC, SIMPL, FMDF, WISH, PSF etc – ex-GS Sir Paul Kenny on HSE Board 2010-19



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We were in touch with trade unions in Italy, and had reason to believe that this would be worse than SARS and MERS from late January

Our first guidance was published on 31st January – giving basic advice around risk assessment, the COSHH Regulations, and some early thinking on PPE standards. At this stage our potential membership exposure was limited to care, aviation, security and the ambulance service.

February was primarily spent watching developments, with a growing sense that the situation was growing worse.

Every changes in March...



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Our initial policy positions:

1. Employers needed to provide clear, consistent information
2. Workers should not suffer detriment – loss of pay, holiday, or disciplinary action – for isolating
3. PPE was not going to be the solution, but would be essential in some sectors – supply would be key
4. Testing had to be established and expanded quickly – but not at the cost of overloading the NHS
5. For most workers this wasn't 'serious and imminent danger', but those at high risk needed urgent protection.



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March 5th – TUC Meeting of the Union Health and Safety Specialists: Covid discussed in passing, but no specific approach agreed; general sense that it may be no worse than SARS/MERS.

March 6th – First set of specific GMB guidance for Safety Reps developed – background on Covid; details on COSHH and risk assessments; assertion of consultation rights; checklists on these.

March 9th – Initial strategy meeting ahead of ‘Covid Budget’: concerns around provision of PPE in NHS/Social Care; rates of Statutory Sick Pay for those needing to isolate; Furlough begins to take shape here.



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March 12th: Cabinet Office Civil Contingencies Unit tells the Civil Service trades unions that Covid will cause 500,000 deaths without action:

March 13th: Channel 4 News

March 16th: Organisers stop workplace visits; Move to home working by 20th





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Clear from late March that our members in the workplace would have to lead efforts on Covid

We developed online materials - Coronavirus Hub; Get Me PPE Hub; Make Work Safe Hub – to signpost to the necessary information

Backed this up with regular sectoral briefings and webinars for Reps and Members across all 9 Regions

Strong emphasis on consultation and involvement, on risk assessment, control measures, and inspections. Building structures and capacity where this had been lacking previously.



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Results were immediate:

Large Retailer suspended all vulnerable workers on full pay when lockdown commenced

National Care Provider agreed to furlough all pregnant workers – and met our demands on PPE standards

We were able to move PHE to upgrade PPE provision in health and social care from the quality of the evidence of our members

Secured sectoral agreements with hundreds of employers on ‘no detriment basis’.



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Public Health or Occupational Health?

Early issue arose with construction sites and close quarters working.

Unions – GMB and Unite – identified high risks of transmission caused a combination of close working and self-employed workers not using PPE.

Demanded provision of FFP3 masks

Sought to address through the Construction Leadership Council Standard Operating Procedures, but couldn't agree on approach

PHE were clear – public health issue; no requirement for masks; hygiene and distancing enough – our reps refused this and secured better provision.



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This reflected a wider UK Governmental position – this was a public health issue for PHE, not HSE to lead on.

But – almost all GMB Members are key workers, so still in work even when lockdown announced and furlough commences;

Clear issues around workplace standards – nothing from HSE on what employers should do; and employers are either working with us to enact controls; seeking advice from trade associations; or simply doing nothing.

Misinformation fills the vacuum, and a lot of effort is expended simply countering ‘fake news’ – a certain President didn’t help...



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Controls begin to clarify – hygiene; social distancing and cohorting.

But who enforces this? HSE? The Police? Environmental Health?

Social distancing concerns raised over Matalan Distribution Centre in Knowsley

GRANADA | LIVERPOOL | MERSEYSIDE | ⌚ Wednesday 25 March 2020, 5:42pm



Worker power effectively takes control where agreement is not reached on the way forward – the issue is the degree to which it can be exercised



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One remarkable difference was the presence of competent health and safety management.

Whilst most of our members were working through the pandemic and lockdown, those with active, visible managers who took the issue seriously made a critical contribution.

In the absence of clear guidance from Governments, managers worked with us to assess risks, develop safe systems of work, and put measures in place to maintain standards

This was done under huge pressure, with situation changing daily, and showed how unions and managers can work together to mutual benefit



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At the end of April, GMB and other Unions were contacted by BEIS to participate in discussions on guidance around the return to work process.

This was surprising, as we had anticipated that either HSE or Public Health England would be the lead regulator

Discussions were originally set for 7 key sectors, and had unions, trade associations, key employers and other stakeholders all on the calls. This gave practically no time for measured discussion, with a strong suspicion this was a fait accompli

That feeling grew when the consultation on the draft guidance for the 7 sectors was launched on Sunday 3rd May – we were given 12 hours to comment on the drafts using an online system, designed to limit the scope of our responses.

The draft guides said nothing about face masks; did not spell out how vulnerable workers should be managed; and made huge assumptions on the ability of employers to assess risk.

With minor edits, they were published late night on 11th May as the 'Safer Workplaces' guidance, and have kept the same approach ever since, creating 'Covid Security'



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The Problem of 'Covid Security'

What do employers have to do? – HSWA or 'Covid Secure guidance'?

COSHH Assessments?

PPE? – But to what standards? Face Coverings?

S44 Employment Rights Act 1996 being invoked to due to risk to workers and others – but not as simple as “just walk off the job”

If we can't work together to implement the necessary controls, how do we escalate and to whom?



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The next steps and emerging issues: - “Get it Right: No Excuses”

Aerosol Transmission and the risk assessment of air conditioning / ventilation – more detail is needed than the current PHE statement or Covid Secure guidance

The transmission risk from children, and whether schools are driving community transmission

The practical steps to protect BAME, Disabled, Older and CEV Workers

Long term mental health impact of lockdown and Covid risk

Getting clear information and reporting – especially looking at RIDDOR

Integrating Covid controls into the risk management process, especially Testing regimes



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For more information:

GMB Coronavirus Hub: <https://www.gmb.org.uk/support/coronavirus>

GMB BAME Risk Pre-Indicator Tool:

<https://www.gmb.org.uk/support/coronavirus/make-work-safe/bame-risk-indicator>

TUC Covid Guidance: <https://www.tuc.org.uk/CoronavirusProtectingWorkers#>

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