

# IT'S YOUR TIME LET'S GET IT BACK



## LEGAL RIGHTS AND EMPLOYER DUTIES

The appointment of workload reps (health and safety reps with a sole focus on workload and work-related stress issues) is underpinned by a set of regulations - Safety Representatives and Safety Committees Regulations 1977 - that give them a number of powerful statutory functions which enable the union to build a more effective workplace organisation.

### RIGHT TO APPOINTMENT AND TIME OFF

**[SRSCR Regulation 3]** You are appointed as an official safety representative in your workplace by your union. Only a recognised trade union may appoint safety reps.

The appointment of safety representatives is not a matter for the employer. It is a trade union decision which should reflect your trade union organisation in the workplace, the needs of the membership, and UCU policy. The union decides how many safety reps we will have.

**[SRSCR Regulation 4(2)]** There is a general and absolute duty on the employer that: 'An employer shall permit a safety representative to take such time off with pay during the employee's working hours as shall be necessary for the purposes of performing their functions under the SRSCR and Health & Safety at Work Act, and undergoing training related to these functions that is reasonable in the circumstances.'

### EMPLOYER DUTY TO CONSULT & PROVIDE FACILITIES AND ASSISTANCE

**[SRSCR Regulation 4A]** requires employers to consult with safety reps, in good time, on the introduction of measures in the workplace that may substantially affect





employees' health and safety; the nominations of competent persons to do risk assessments; of information about health and safety to staff; how training is planned and organised; and the consequences of the introduction of any new technology.

Employers are also required to provide assistance and facilities to reps to enable them to undertake their functions.

## RIGHT TO INFORMATION

**[SRSCR Regulation 7(1)]** requires the employer to provide safety reps with a copy of any document related to the health and safety of employees that the law requires them to keep, upon request.

**[SRSCR Regulation 7(2)]** requires employers to provide safety reps with any information within their knowledge necessary to enable them to fulfil their functions.

## STATUTORY FUNCTIONS OF SAFETY REPS

### **[SRSCR Regulation 4]**

Safety reps are given a number of statutory functions by the Safety Representatives and Safety Committees Regulations 1977.

**Investigative:** to investigate potential hazards; dangerous occurrences; the causes of accidents; and complaints by employees. This includes work-related stress and workload hazards.

**Inspections:** to inspect the workplace by regular quarterly inspections and to re-inspect when any remedial work has been completed; where there has been a reportable injury, dangerous occurrence or case of disease; inspect and take copies of documents relating to the health and safety of employees.

**Representative:** to make representations to the employer on both specific issues or on general matters relating to health and safety in the workplace; to attend meetings of the safety committee; to represent issues to inspectors of the Health & Safety Executive or other enforcing authority when they visit the workplace, and to receive information from such inspectors.