

RF/HM

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8 May 2020

Rt Hon Alok Sharma MP
Secretary of State for Business,
Energy and Industrial Strategy
1 Victoria Street
London
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United Kingdom

Dear Mr Sharma

UK Government Workplace Guidance

Firstly, I would like to express my concern about the way the consultation has been conducted. The safety guidance produced by the UK Government is an important document that sets the tone for safe working practice across the UK. It is unacceptable that a consultation of this magnitude and importance was only conducted with a small number of organisations for a small number of hours on a Sunday, with only a short extension until Monday evening.

While it was welcome that our sister organisation the TUC was included in this consultation, it was disappointing that the trade union movement in Scotland were not included and only received access to the portal on Monday evening. This left only a few short hours before the portal closed and for this reason, we have been unable to formulate a detailed response to the specific guidance.

Safety is of utmost importance going forward. Health and safety and wider public health requirements cannot be weighed against the economic needs of businesses. It continues to be a fundamental principle that if work cannot be undertaken safely, it should not be undertaken at all. No one's life is expendable in this crisis.

The STUC would like to see that fundamental principle reflected in the guidance. However, we are concerned that the guidance produced to date

contains weak working that effectively leaves it at the employer's discretion whether they uphold social distancing and prioritise safety and public health. This is unhelpful and will likely cause safety issues and problems within a workplace context and may even put lives at risk.

The guidance should also reflect that maintaining a high level of homeworking is fundamental for ensuring the success of the wider public health strategy. Every employer, regardless of sector, should seek to maintain the highest possible level of safe homeworking throughout this crisis.

It is essential that the guidance recognises the role of trade unions and the experience and expertise of health and safety reps. The guidance should require employers to agree COVID 19 risk assessments with union health and safety reps. before the workplace reopens, with time built-in to allow this process to take place. Steps should also be taken to empower union health and safety reps. to support inspection work through the roving health and safety rep. model.

The STUC is currently working closely with the Scottish Government and employers in Scotland to prepare detailed sectorial guidance. We believe that unions, employers, and government working together is the best way to ensure the guidance produced prioritises safety for workers, which in turn supports the employers' business from future disruption due to a resurgence of the virus. The STUC will continue to work with the Scottish Government and employers to ensure the highest possible standards and protection of life for workers in Scotland.

I enclose with this letter a paper outlining what we believe needs to happen before any restart of the economy can begin. This paper makes clear that the following five issues need to be in place:

- 1) Capacity for greater testing and a return to contact tracing.
- 2) Capacity to supply PPE to non-essential workplaces.
- 3) Sectoral Guidance agreed between unions and employers.
- 4) Effective enforcement measures.
- 5) A continuation of the job retention scheme and other support for those who cannot work.

Each of these areas are essential and work needs to be undertaken now to deal with the issues raised and ensure that the economy can, at the right time, move to the restart phase. Fundamentally workers, both working at home and in the workplace, need to be protected and

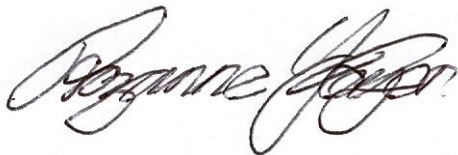
supported to work in safe environments and the incomes of those who cannot work should continue to be protected.

We hope that the UK Government will work with the Scottish Government and other devolved administrations to ensure this work is done and these protections are in place before the restart phase begins. The UK Government must ensure that the job retention scheme and support for the self-employed are maintained and developed in the next phase of the crisis. Rights around sick-pay and self-isolation also need to be maintained. The UK Government should also create more flexible Government support packages for workers which can underpin short hour working or transitions between work and furlough while maintaining income levels.

Unfortunately, there is still a long road ahead of us in this crisis with much work still to be done to save jobs and save lives. Support for the economy and workers must be sustained over the coming months.

I am happy to meet with you to discuss any of these issues further. I have also sent a copy of this letter to the Secretary of State for Scotland

Yours sincerely

A handwritten signature in black ink, appearing to read 'Roz Foyer', written in a cursive style.

Roz Foyer
General Secretary Designate

CC Rt Hon Alister Jack MP, Secretary of State for Scotland