

**Construction  
OS&H**

**Workers'  
perspectives**

**Getting  
Management  
to Make  
Improvements  
Part 2**



# The union health and safety representative & ‘accidents’

All ‘accidents’ have causes, they do not just happen. The causes are many, but if risks are not removed or controlled, then injuries and ill health will happen.

They are not genuinely ‘accidents’ because there are foreseeable, known risks which can be prevented. Often there is even legislation which obliges the employer to prevent these risks, but they do not take the preventive measures.

It is important for union representatives to know how to investigate ‘accidents’, so that the actual cause can be established, and the appropriate corrective action taken.

We can also represent the person concerned and their family to protect their job and income, and to make sure they have help with treatment and compensation.

# ‘Accidents’ at Work – what to do

## AIM:

Take the appropriate steps when an accident occurs

## TASK:

In your small group, make a list of the steps that a safety representative would need to take in the event of an accident occurring at the workplace

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# After an ‘accident’

A Union representative has a lot to do in the event of an accident.

But first you need a system to make sure that you are informed immediately

Encourage workers and Union members to tell health and safety representatives that an accident has occurred

Get an agreement that health and safety representatives are notified, and are able to leave their place of work to investigate

# The drill is ....

Get to the scene of the accident as soon as you can, making sure that it is safe to approach

Ensure that nothing is moved or altered until the accident is properly investigated

Make sure that the following is recorded:

- Date
- Time
- Name of victim
- Details of the accident, including details of witnesses

Take photographs if you have a camera

## Further actions ...

Ensure that the victim is attended to and if necessary convey him/her to the nearest Medical Centre for attention

Inform the Union without delay

If the potential for a further accident is clear, then the job should be suspended until it is put right

In the event of a very serious or fatal accident, if possible the Union should organise some form of stoppage as a mark of respect to the victim, and as an indication to management that workers want improved prevention measures

# Investigating ‘accidents’

## AIMS:

Agree why accidents should be investigated

Investigate accidents thoroughly

## TASK:

In your small group:

- List the reasons why we should investigate accidents
- Identify the information that we need to gather following the accident

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# Information checklist

‘Accidents’ often have almost exactly the same cause time after time.

It is very important that management takes steps to avoid the recurrence of accidents at workplaces. In order to achieve this, it is necessary to carry out a thorough investigation into the causes of accidents, to prevent future ones.

Important information about the ‘accident’:

- Who is involved?
- When did it happen?
- Where did it happen?
- What happened?
- Why did it happen?



# Specific information to obtain

- Occupation - What work was the injured person doing?
- Sex - State whether male or female
- Age - Exact, if possible, otherwise approximate
- Date - Show date of occurrence
- Place - Give specific location
- Type - State type of accident
- Equipment - Indicate materials, machines involved
- Names and addresses of witnesses

# Other information

- Continue to take photographs, if possible
- Make sketches and take measurements, if possible
- Interview witnesses and other workers
- Interview the injured worker, if possible
- Find out if there have been previous accidents or complaints, from the Accident Report Book, or grievances handled, or safety rep's inspection reports
- Check legal standards and agreements
- Collate all the information obtained; analyse it; and prepare a report for Union and management, with your recommendations

# An essential part of the reps' job

Investigating accidents is one of the essential jobs for a safety representative.

It provides informed opinion on why preventive and control measures failed.

We can then ensure that the employer takes the appropriate steps to stop such an accident occurring again.

The rep should always contact the Union straight away to inform them of any serious accident, and keep the Union informed without delay of any developments.

# Getting management to make improvements

Whatever the level of development of Trade Union organisation and worker representation on health and safety, it can never be a substitute for management organisation for health and safety.

Without effective management systems for health and safety and a commitment to its continued prioritisation, the role of worker involvement is severely constrained.

The key factors to improve OS&H include:

A strong legislative framework

Effective external inspection and control.

Demonstrable senior management commitment to OS&H and a participative approach

Competent hazard/risk evaluation and control

Worker representation at the workplace and external Trade Union support

# How do YOU get management to make improvements

## AIMS:

- Share ideas on how we can get management to act
- Decide on the most effective ones

## TASK

In your small group:

- Share experiences about the ways that you have used to get management to resolve health and safety problems
- List the ways and explain which you think is the most effective

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# Checklist for getting management to act (1)

- Raise issues in writing with management, make sure that you have workers' and Union members' support, and a clear time limit agreed
- If a manager will not resolve a problem, speak to a more senior manager
- Prepare your case well and negotiate firmly with management
- Use special safety procedures, that deal with safety problems quickly
- Ensure that time limits are adhered to
- Use the grievance or disputes procedure

## Checklist for getting management to act (2)

- Consider calling in Government Safety and Health Inspectors, where there is a clear breach of the law, or there is an obvious and serious risk
- Use joint safety and health committees to highlight sections of the workplace where it is difficult to get safety and health problems resolved
- Negotiate Collective Bargaining Agreements, on occupational safety and health
- Ensure other Union officials are kept informed, and will give you their support if it is necessary

# Collective bargaining agreements (CBAs)

## AIMS:

Decide what should be in a CBA

Select priorities for a CBA

## TASK:

In your small group:

‘Brainstorm’ all the things that you feel ought to be included in a collective bargaining agreement on health and safety

In co-operation with all the other groups, select one priority from your list and agree the content of that aspect of the agreement

Pass the content to the group next to you for their comments, while you comment on their work. Make any necessary amendments. We will then copy each group’s work for each participant



# A CBA on OS&H should include

Formation of safety committees (including their composition, authority & functions)

The rights and functions of a Health and Safety Representative, including the facilities to which they are entitled

The rights to specified information and training for workers

Rights to inspect the workplace and consult with workers

Right of all workers to refuse to undertake dangerous work

Safety Rep's right to stop an activity in case of imminent danger

And ....

Consulting Government factory inspectors and Union full-time officers

Time-off for reps to participate in training and other Union functions

Safety Policy

Safe Systems of Work

Prior agreement on work changes and the introduction of new substances and equipment

Occupational health services

Special safety procedures for resolving problems

# Managing OS&H

## AIMS:

- Share experiences of the way that management organise OS&H
- Explain the advantages of safe working conditions

## TASK

In your small group discuss:

- The role that your management has played in controlling risks to health and safety in your workplaces
- The advantages of safe and healthy working conditions to the employer, and to the worker

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# Management's responsibilities

- Comply with national laws
- Promote and maintain safe working conditions and processes
- Provide adequate facilities
- Provide training, education and instruction
- Provide information on work, systems and processes
- Encourage and co-operate with Union representatives; safety committees; and Government Inspectors
- Provide protective clothing and materials, appropriate to the tasks and conditions
- Install safety devices
- Act promptly on imminent dangers reported
- Encourage participation and involvement of all employees and managers

# The key elements of successful OS&H management

Policy development

Organising

Planning and implementing

Measuring performance

Auditing and reviewing performance

Responsible management

Influential Trades Unions