



STUC Paper Principles for relaxing lockdown

The STUC recognises that we must prepare for some reduction of lockdown and a phased restart of the economy. It is essential that lives are not put at risk by relaxing measures too early, and when action is taken, it must be measured and proportionate and place the protection of life ahead of economic interests.

Maximising wellbeing and supporting positive mental health outcomes should also be prioritised. Easing lockdown cannot mean easing restrictions around work while stringent controls are maintained in everyday life. Workers should feel the benefit of looser controls across all elements of their lives.

Fundamentally, 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.

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.

The Scottish Government must use data and scientific evidence in a transparent way, issuing clear guidance about when it is possible to return to work. The Government must also take steps to ensure that the Test, Trace, Isolate policy can be effectively applied- which can only happen when the number of cases has dropped. It must also carefully plan for having greater numbers of people at work and traveling to work. Clear guidance for public transport operators on maintaining physical distancing will be essential and this guidance should provide a framework for employers to plan for their specific transport needs.

The Scottish Government should also work with the STUC to prepare a refreshed joint Fair Work statement for the restart phase.

Employers must only seek to restart their workplaces when they have been advised by the Scottish Government that new cases of the virus are sufficiently under control **and** safe working practices are agreed, ensuring physical distancing can be maintained in all shared space. Employers must also have in place a clear plan of how workers will travel to and from work safely.

The restart phase does not represent a return to business as usual. What constitutes safe working practice has changed. There are also workers who cannot return to work for health reasons, due to caring responsibilities or because their workplace remains closed. Continued income protection is vital, and employers should implement the principles within the Fair Work statement and maintain workers' incomes throughout this crisis.

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.

Preparations must be undertaken now before any restart of the economy takes place. This means that we must have;

1. Capacity for greater testing and a return to contact tracing

Testing has a key role to play in ensuring that the economy can safely function going forward. We cannot begin the restart phase until effective processes for testing and contact tracing are established. This must include:

- greater emphasis on routine testing for key workers;
- a return to community testing;
- a return to contact tracing;
- genuine access to testing.

The STUC believes that to implement these principles effectively greater capacity is needed in both testing and contact tracing. The Scottish Government has now announced an additional 2000 workers will be needed for contact tracing, indicating that these workers will come from other NHS services and local authority environmental health teams. The STUC is concerned that this creates a pinch point around local authority environmental health teams who are now responsible for enforcement of social distancing within workplaces and contact tracing.

The STUC recognises that these are skilled jobs and therefore it is difficult to augment the workforce quickly. But it is essential that workforce issues are resolved and that both contact tracing and enforcement are prioritised.

At present testing is not fit for purpose with key workers struggling to access tests, no community testing carried out and testing centres often difficult or impossible to get to for many workers. While work has been done to increase capacity and the roll out of home testing is now being planned, genuine access to testing must be assured – including routine tests for key workers – before we enter the next phase.

2. Capacity to supply PPE to non-essential workplaces

There have been clear issues with supply and distribution of PPE for key workers. Yet more PPE will be needed as non-essential workplaces begin to return to operation. There must be:

- Sufficient supply of PPE to supply non-essential workplaces in addition to key workers.
- No disruption of supply chains supporting PPE for key workers.
- Assessment of PPE needs undertaken on a sectoral basis prior to reopening workplaces.

There must be certainty that sufficient PPE is available for all workers before the restart phase can begin.

3. Sectoral Guidance needs to be agreed between unions and employers

Physical distancing will play a role in workplaces for the foreseeable future. This represents a large change to working practice for the majority of workers. It is absolutely essential that health and safety requirements are prioritised. This will protect workers, but it will also protect the employer's business and the wider economy by guarding against the need for workplaces to close due to infections.

It is vital that unions and employers, supported by the Scottish Government work together to prepare guidance sector by sector which takes a clear health and safety approach. This guidance must be in place prior to any restart of the economy and should clearly set out Fair Work and safe working practices within each sector.

This guidance must include:

- A clear commitment that work will not begin until the 'R' number has fallen, in line with scientific advice.
- A commitment to Fair Work including a commitment to protect workers' incomes when they are shielding, have caring responsibilities or are self-isolating in line with public health advice.
- A requirement 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.
- Support from the Scottish Government and employers for roving health and safety reps. to support employers across their sector. Health and safety reps. should be able to inspect all companies within their employer's supply chain and should have right of access to any workplace in their sector in response to concerns raised by a worker in that workplace.
- Clear commitments to health and safety and physical distancing recognising that where physical distancing cannot be implemented PPE will be required. Clear protocols preventing the use of shared tools, hotdesks and other facilities must also be in place prior to the workplace reopening.
- Guidance for employers and unions to consider how shift patterns and rest breaks are organised and any variations that are required to support physical distancing. Employers should also be required to set out how shared space can be used safely, including breakrooms, canteens, toilets, changing areas and smoking areas, ensuring physical distancing is maintained.
- A requirement for high levels of cleanliness within workplaces, including access to hand washing stations or hand sanitiser, and the need for cleaning between shifts and enhanced cleaning of shared areas and frequent touch points.
- A requirement for employers to plan how workers get to and from work within a wider Government led transport strategy.
- A clear reference to enforcement and the wider national enforcement strategy.
- The employers' duties to support the Test, Trace, Isolate strategy, including support for workers to isolate with no loss of income, and their duties around data collection for public health reasons.
- A recognition that this is an iterative process with a requirement for guidance to be reviewed and updated. Unions should be fully involved and consulted at all stages in this process.

Guidance should also include a duty for employers to support homeworkers particularly as they will be required to continue to work from home for a considerable period. Employers should consider issues of both physical and mental wellbeing, including respect for rest breaks, support for caring duties and a clear demarcation of work and non-work time. It is vital that employers recognise their duties in respect of homeworkers and the increased support that can be provided to them as the lockdown is eased.

4. Effective enforcement measures must be in place.

Effective enforcement of physical distancing rules is absolutely essential. Local authorities through environmental health officers and the Health and Safety Executive are best placed to lead enforcement activity. However, the capacity for inspection has been undermined by ten years of austerity.

It is therefore essential to maximise the effectiveness and the capacity of these vital institutions. There must be:

- The creation of a national enforcement forum to provide oversight of health and safety and rapid response to issues across the economy. This forum should include the Scottish Government, local authorities, environmental health officers, the HSE, the police and trade unions.
- There should be greater support for the role of union health and safety reps. in the workplace. 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 Scottish Government should set up a whistle blowing helpline to ensure that every worker in every sector can raise instances of bad practice and know that this will reach the appropriate enforcement agency and be acted upon.
- Action must be taken now to enhance the capacity and number of environmental health officers to support a higher level of inspections. This includes:
 - bringing back retired officers as was done during the Commonwealth Games in Glasgow.
 - providing funding for local authorities to enhance local environmental health teams whose numbers have been falling year on year due to the impact of austerity and cuts to local government budgets.
 - making funding available for a greater number of training places and considering ways to streamline the pathway without reducing the quality of training provided.

5. A continuation of the job retention scheme and other support for those who cannot work.

Coming out of lockdown is likely to be phased. There will be some sectors which must stay closed, while others may open. It is also possible that restrictions may be eased but then reintroduced due to a resurgence of the virus, or that some workplaces may face difficult periods due to falling demand or other knock on impacts in their supply chain. In this context ongoing support for workers firstly by their employer and secondly by both the UK and Scottish Government is essential.

It is essential to:

- maintain the incomes of all those who cannot work throughout this crisis, including those who are shielding, those with caring responsibilities, workers whose workplaces are closed and the self-employed. Employers should be encouraged to implement Fair Work principles.
- create more flexible Government support packages for workers which can underpin short hour working or transitions between work and furlough while maintaining income levels.

Conclusion

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.