

Manifesto for Labour Law

TOWARDS A COMPREHENSIVE REVISION OF WORKERS' RIGHTS



Health and safety

RECLAIMING OUR RIGHTS

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Introduction: the need for change

“Each and every day here in the UK a lack of good health and safety continues to lead to the deaths of 140 people in work-related incidents or because of work-related illness. The equivalent of 2 Grenfell towers...daily.”

Louise Taggart, FACK

The *idea* of regulation has been under attack for four decades

Enforcement is in many real sense now non-existent

Workers in non-unionised workplaces are in effect unprotected

A Rigorous Enforcement Regime

- The establishment of inspection and enforcement regimes that are ILO compliant
- Policies prohibiting unannounced inspections to “lowrisk” workplaces to be repealed
- Numbers of HSE and local authority inspections to be considerably increased (including those undertaken at random, rather than on (an alleged) “risk-based” basis
- Funding to recruit enough inspectors to properly enforce the law.

Improving Recompense

- Re-establishment of the right for workers to seek compensation through civil actions for breaches of statutory duty
- Universal entitlements to sick pay that amounts to a substantial proportion of normal pay
- New duties on employing organisations in respect of the rehabilitation and return to work of ill and injured workers.

Refocusing H&S Duties to reflect the 'new economy'

- HSWAct to transfer its core duty to protect workers to “businesses” rather than employers.
- This duty would cover all types of workers whose work activities are influenced and directed by said businesses.
- Where appropriate, requirements on the heads of supply chains for the management of health and safety among suppliers.

Enhancing the Role of Workers

- Trade union safety reps should have the power to inspect, and when necessary, stop the job.
- Unions should be allowed to initiate private prosecutions against wrongdoers.
- In the absence of a recognised trade union, an appropriate non-recognised one should have the right to appoint workplace health and safety representatives.
- Businesses should also have a duty to consult in respect of all workers (and not just employees) who may be affected by their activities.

Reversal of Deregulation Policies

Notably ...

- The Business Impact Target
- Regulatory Impact Assessments
- The ‘Growth Duty’
- The Primary Authority Scheme
- The One-in-One Out (OINO) Approach to Regulation

Conclusion

- This IER reform agenda entails a combination of administrative, funding and legislative changes.
- A comprehensive review akin to that undertaken by the Robens Committee - representatives from industry, trade unions and academics, with an independent chair.
- Ensuring decent work is not a radical demand – it is a matter of human rights.