

Our Reference: EX5/DJ/Imp



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Group: Communication Workers Union

@CWUnews

Rt. Hon. Penny Mordaunt MP
Minister of State for Disabled People, Health & Work
Department of Work and Pensions
Caxton House
Tothill Street
London
SW1H 9NA

From the office of Dave Joyce National Health, Safety & Environment Officer

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Dear Ms Mordaunt,

Re: CWU and TUC Condemns Tory Government Announcement of Health and Safety Executive (HSE) Board Appointments - Ideological Anti-Trade Union Attacks Openly Continue as Government 'Lackey' Board Members are Appointed to Replace Trade Unionists and Diminish Trade Union Influence on UK Health & Safety Regulation and Social Partnership

I write to lodge a formal complaint and protest on behalf of the 200,000 members of the CWU regarding the appointment of Susan Johnson to one of the Employee seats on the HSE Board when she has never represented workers in her life and her career has been as a Manager, Director, Chief Executive and Business Leader! This is wholly unethical and appalling. There's no other way to put it.

I would be highly surprised if Susan Johnson doesn't herself feel highly embarrassed and humiliated. Anyone with dignity and self-respect wouldn't accept and take up the position given on such a false premise.

All the UK Trade Unions and the Hazards Campaign have collectively condemned the appointments which have caused nothing short of outrage across organisations that do represent employees and workers, so much so that Emergency Motion 6 was carried at the recent TUC Congress on the issue.

The Lord Robens Committee report of June 1972, made clear recommendations to the UK Government of the day which were endorsed and enacted in the Health and Safety at Work, etc. Act 1974. The appointment of Susan Johnson doesn't sit comfortably with the Robens principles does it? She isn't a health and safety activist or a safety representative is she?

The Health and Safety at Work Act 1974 Section 10(2), Schedule 2, entitled 'Establishment of the Executive' states that the board should be a "Tripartite" body consisting of a Chairman, 3 members from employers, 3 members from trade unions and up to 4 others

General Secretary: Dave Ward

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from organisations such as local authorities and professional bodies. After this appointment there is no longer the 3 required is there?

For 40 Years the process of appointing the employee representatives to the HSE board was carried out in consultation with the TUC. Why has that now been abandoned? Does this mean the abandonment of the UK's 'tripartite' health and safety system?

Surely an employer cannot be appointed to represent workers. It's a blatant abuse of rules that are there to ensure a fair balance between workers and bosses. It's a true outrage!

The HSE works best when employers and unions work together as equal partners, as intended by the Health and Safety at Work Act. By rejecting the consensus approach, this sends out a dangerous signal to bad bosses who put staff at risk by cutting corners. Along with the Trade Union Act, it's a further attack on the ability of trade unions to protect the health and safety of working people.

There is a legal right to have 3 employee representatives on the HSE Board and there is irrefutable evidence that trade union health and safety representatives make workplaces much safer.

This is an appalling decision which has outraged every Trade Union. The CWU objects in the strongest possible terms and I hope you see fit to pursue the withdrawal of the appointment.

As George Orwell said:

"All are equal, but some are more equal than others".

Yours sincerely



Dave Joyce
National Health, Safety & Environment Officer

Encl.

TUC Congress 2016 - Emergency motion - E6 HSE board appointment

Congress notes with deep concern and is appalled by the announcement by the government on 2 September that Susan Johnson, former Chief Executive of Durham and Darlington Fire and Rescue Service, who does not appear to have any history of worker representation, had been appointed to the executive board of the Health and Safety Executive as a representative of employees.

Congress further notes that the minister has seen fit to disregard both a convention that extends back to 1974, and the spirit and intention of the Health and Safety at Work Act, by failing to consult the TUC in making this appointment.

Congress is appalled by this attack on tripartism and urgently resolves to:

- i press for reassurance from the Secretary of State for Work and Pensions and the Chair of the Health and Safety Executive that the ideal of tripartism has not been abandoned and will be respected by both DWP and HSE
- ii ensure that all future appointments for worker representatives will be consulted upon with the TUC before any appointments are made
- iii seek to negotiate with government that the tripartite balance of the HSE executive board is restored through the appointment of two further worker representatives who actually have relevant current experience of representing workers, with those two worker seats not held by TUC nominees becoming independent board members
- iv seek the removal of Susan Johnson from the HSE board as she is not an appropriate representative of employees.

Congress demands parity on the HSE board between employers and trade unions, to ensure that workers' health, safety and welfare interests are fully represented.

Mover: GMB

Seconder: Fire Brigades Union

Supporter: Prospect

14 September, 2016