

## OBLIGATIONS OF EMPLOYEES

### These are:

- Making proper use of equipment that their employer has provided
- Co-operating with their employer on health and safety
- Informing their employer if they identify hazardous handling or other activities
- Ensuring they do not put themselves or others at risk

## IF YOU HAVE A MUSCULOSKELETAL DISORDER

- Report your symptoms to the union or your safety rep
- Report your symptoms to your employer and record the incident in the accident book. Ask for a copy of the accident book entry and retain it.
- Go to your GP or Occupational Health Department for assessment. Tell them about the job and why it may have contributed to the condition.
- Discuss any changes needed to the working environment to ensure employment without further injury or pain – if you need representation, contact your safety rep/shop steward
- If you have sustained injury/loss of earnings contact the union for advice about claiming compensation from the employer and applying for state benefits.

## COMPENSATION

Any claim against your employer to union solicitors must be made within three years of the date of an accident, or knowledge that you have a condition caused by your work. Claims for a weekly pension known as disablement benefit can be made to the Benefits Agency at any time. Certain musculoskeletal disorders such as: Tenosynovitis (A8), Beat hand (A5), Beat Knee (A6), Beat Elbow (A7), Writers' cramp (A4), or Carpal Tunnel Syndrome (A12) can result in payment of benefit.

The union has published a leaflet on industrial injuries compensation: 'Industrial Injuries – are you entitled to state benefits?' Contact your union officer for a copy.

## KEY LEGISLATION

All workers have a legal right to a safe working environment. Key legislation is:

### Health and Safety at Work etc Act 1974

Imposes general duties on employers to ensure a safe working environment and establishes safety reps' consultation rights.

### Safety Representatives and Safety Committees Regulations 1977

Unite - the union safety reps have a wide range of rights and functions which they can use to help prevent injury and ill-health at work – see checklist above.

### Management of Health and Safety at Work Regulations 1999

Require employers to undertake risk assessments and monitor the controls and provide information to employees.

### Manual Handling Operations Regulations 1992

Require employers to avoid manual handling operations and adopt appropriate measures to reduce the risk of injury.

### Health and Safety (Display Screen Equipment) Regulations 1992

Require risk assessments, set standards for workstations and specify that work must be planned to allow rest breaks from excessive repetitive work.

## FURTHER ADVICE AND INFORMATION

The union publishes a wide range of leaflets and information. Contact Health and Safety Unit, *Unite - the union*, Central Office 0207 611 2596

[smurray@tgwu.org.uk](mailto:smurray@tgwu.org.uk)

**Important: this leaflet is a brief introduction to this subject. Individuals seeking legal advice should contact the Health and Safety Unit at Central Office, their Regional Industrial Organiser, or union solicitors as appropriate.**

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# Do you suffer from aches and pains in silence?



## There is no need for you to suffer in silence. *Unite - the union can help you avoid injury and illness.*

Many members find that they experience pain in their back, in their muscles and joints or in their fingers and wrist movements. These are known as musculoskeletal disorders or MSDs – (Repetitive Strain Injury (RSI) or aches and pains). Early warning signs of these disorders can include tenderness and swelling to muscles and joints, muscle weakness and pins and needles.

MSDs are the most common occupational illness in Great Britain, affecting at least one million people a year. MSDs are a major issue for many of our members – factory workers, beer delivery, professional drivers, warehouse workers, retail staff, airport staff, construction workers and office workers, to name just a few.

Reporting all incidents and accidents is essential to avoid ill health and injury. Employers must assess tasks and systems of work to reduce the risk of injury, and involve workers in the process.

### SPOTTING THE PROBLEM

The risk of musculoskeletal disorders is increased by factors, or combinations of factors, such as manual lifting, poor or awkward movements, highly repetitive movements (such as keyboard use or meat processing), uncomfortable positions, pace of work and vibration.

#### Risk factors to look for include:

- Twisting, stooping or reaching
- Sudden or jerky movements of the arms
- Working above shoulder height
- Pressure on the hand eg from using picks and shovels
- Constraints on posture
- Carrying heavy loads any distance
- Excessive pushing or pulling of a load
- Unstable, heavy or awkward loads such as slippery packaging, loads with sharp edges

- Insufficient rest breaks or recovery time, tight deadlines and lack of task rotation
- Repetitive movements of the hand or forearm
- Pressure on knee, or at elbow
- Handling loads whilst seated
- Inadequate space in which to work
- Clothing or protective equipment which is too restrictive
- Unsuitable work equipment – too heavy or difficult to use
- Slippery or uneven floor surfaces
- Extremes of temperature (either too hot or too cold)
- Use of hand held power tools
- Workstation or bench/table at the wrong height
- The job/task/system of work may put pregnant workers at risk

**Remember** that doing something once may not hurt, but repetition could lead to injury. If you find you are required to carry out tasks with one or more of the above risk factors, discuss it with your safety rep and with management.

### WHAT SAFETY REPS CAN DO TO HELP PREVENT ACCIDENTS AND ILLNESS

- Ensure your employer has carried out a risk assessment of all workplace activities
- Get involved with risk assessments
- Carry out workplace inspections regularly, at least every three months
- Conduct a special inspection on MSDs
- Collect information from members in other ways such as body mapping or surveys
- Tell your employer about problem areas
- Ensure you are consulted on any health and safety measures taken
- Ensure that all aches, pains or complaints that could be caused by work are reported immediately to your employer
- Make suggestions, and co-operate in the testing and trying out of reasonable solutions
- Report any problems and successes with new working practices
- Help others understand workplace hazards and how to tackle them
- Make sure you receive training, and refresher training, with paid time off for training

### BY LAW EMPLOYERS MUST

- Avoid the need for hazardous manual handling as far as possible
- Assess the risk of injury that cannot be eliminated
- Reduce the risk of injury so far as possible

#### This includes:

- Identifying the problem – the hazards and the risks – and establishing the extent of the problem
- Consulting workers about manual handling issues
- Taking account of the physical suitability of an employee to carry out the operation
- Taking account of the clothing, footwear or other personal effects they are wearing
- Identifying high-risk groups such as the young people, pregnant workers – for whom there are special requirements for risk assessments.
- Ensuring risk assessments are done
- Implementing control measures in consultation with all workers.
- Assessing provisions for disabled workers – adjustments can make the workplace safer for all, for example making doorways more accessible will help reduce manual handling risks
- Reviewing risk assessments where problems have been identified
- Generating and evaluating solutions, and take appropriate action, in consultation with the workforce
- Identifying and delivering necessary training and provide information for employees on safe working practices.
- Monitoring and reviewing effectiveness of measures
- Co-operating with other employers sharing the same workplace for example in relation to the health and safety of agency workers or contractors
- Providing health surveillance for employees if necessary and acting on the results