



PROPOSED PROTECTION OF WORKERS (RETAIL AND AGE-RESTRICTED SALES ETC.) (SCOTLAND) BILL

Unite the Union Scotland represents around 140,000 working people and their families throughout Scotland. Unite is the UK's largest trade union with 1.4 million members in a range of industries including transport, construction, financial services, manufacturing, print and media, the voluntary and non-profit sectors, education, local government and the NHS.

Unite warmly welcomes this consultation document, which sets out potential measures to address abuse and violence against shop workers. The document correctly states that everybody 'should enjoy safety and security at work'. Therefore, we fully support making it an offence to obstruct someone upholding statutory age-restrictions. If the prior approach proves procedurally and legally difficult to bring into fruition, then we would be supportive of creating a statutory aggravation; whereby sentencing would take into account the fact that a worker was upholding a statutory age-restriction for threatening or abusive behaviour or harassment towards a worker upholding an age-restriction.

The consultation raises a number of longstanding concerns which Unite has consistently made with respect to workers facing violence and abuse in their workplace. As Scotland's most industrially diverse trade union, we are acutely aware of the problems many of our members face with regards to the threat of and actual incidence of physical violence while they try to earn a living and provide quality services to the general public.

Despite the Emergency Workers Act assaults on emergency service workers reached a three-year high, according to official figures in January 2018. A total of 6,509

common assaults were recorded on police, fire and ambulance workers across Scotland in 2016/17. This was the equivalent to more than 17 per day. It is estimated the number of attacks is likely to be higher as these statistics do not include more serious assaults. The British Retail Consortium (BRC) Crime Survey report (March 2018) also revealed an increase in violence against staff with the number of incidents occurring at twice the rate of the previous record in 2017. The BRC said the rate was equal to 13 people being injured every day of the year.

In the reporting period for 2016/17, the Strathclyde Partnership for Transport highlighted that there was an increase of reported accidents and incident events of 8% against the previous year. SPT noted 'small increases' in some of the event categories both for the Subway and Buses in relation to anti-social behaviour, slips, trips and falls and verbal abuse towards staff. Unite members at SPT have consistently pointed out that voluntary initiatives alone are insufficient to sustain a challenge on the incidence of anti-social and violent behaviour on the subway for example.

Unite has repeatedly drawn attention to the long hours, low pay and threats of violence and intimidation rife in the transport industry. There should be minimum standards for all transport workers including HGV, bus and taxi drivers. This should include the extension of Scotland's laws on protection of public and emergency workers to include all transport sectors; and the implementation of preventative and protective measures to tackle violence against transport workers (e.g. CCTV and secure facilities).

Unite also has a specific campaign to support workers in the hospitality industry - Scotland's fastest growing sector - in bars, hotels and restaurants where workers face the threat of verbal and physical abuse on a daily basis. Amongst other improvements in working conditions such as the living wage and minimum hour contracts the [Fair Hospitality](#) campaign seeks to organise workers around Health and Safety concerns in the workplace most notably the protection of Women workers against sexual harassment from customers.¹ Preliminary results from our ["Not on the menu"](#) survey found that 89% of respondents had experienced one or more incidents

¹ <http://www.fairhospitality.org/>

of sexual harassment in their working life, with more than half (56.3%) saying they had been targeted by a member of the public. One member said that she had been harassed and grabbed by a stag party when she was 16. “[At] the end of my shift when I told management that I was really upset over the incident, the reply I got was that I needed to ‘learn to take a joke’”, she said.²

In this context, we would warmly welcome the extension of protections to every worker in Scotland who provides a public service such as retail and hospitality workers as this consultation document specifies. We also support the creation of offences in order to effectively deter and punish those who do engage in violence or abuse towards a worker(s). To reemphasise, this must not only be restricted to the parameters of the public sector. The underlying principle should be that if dealing with the public or serving the public is part of the job specification then the protection is applied. Until greater protective measures and offences are introduced, then the vast majority of public service workers employed outside the parameters of the Emergency Workers Act will continue to be more prone to incidents of violence.

For these aforementioned reasons, we are supportive of the aims of this consultation document but hope that it also creates a wider discussion about the protection for all workers providing a public service. Unite welcomes any legislative proposal that makes the world of work a healthier and safer experience and this consultation document sets out measures which would help work towards this objective.

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² <http://www.unitetheunion.org/news/sexual-harassment-is-rife-in-hospitality-industry-according-to-preliminary-findings-of-unite-survey/>