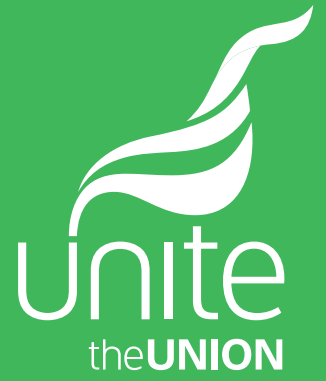


UNITE EQUALITY BRIEFING FOR REPS

COVID-19 – IMPACT ON DISABLED MEMBERS



Unite the union guide to workplace equality impact assessments



Thank you to all who have contributed and are acknowledged in this guide. 2021



UNITE EQUALITY BRIEFING FOR REPS

OVERVIEW

Unite is campaigning hard to eradicate discrimination faced by our disabled members. This briefing brings together some analysis on the impact of COVID-19 on disabled workers, useful advice, information and campaign actions that will help you in the support that you are providing to our disabled members.

COVID-19 and the impact on Unite Disabled Members

Decades of austerity, changes to the social security system and the introduction of universal credit combined with continuous discrimination, structural barriers and negative attitudes have left disabled people four times worse off financially with nearly half of those in poverty being from families which include a disabled person.

The existing disability employment and pay gaps have deepened by the COVID-19 crisis and have pushed disabled workers into further poverty and hardship.

The government labelled disabled people as vulnerable and then took away their rights and support structures. Their lack of care and responsibility with its unclear and non-accessible information is evident.

The reporting of deaths from COVID-19 continually emphasises the person's pre-existing medical condition. This has the effect of making these losses less of a tragedy and sends a message that the lives of disabled people are not as valuable.

In the workplace

Disabled members have been more than twice as likely to be unemployed during the pandemic. Low pay and lack of access to decent employment for disabled workers has become even more visible.

Many disabled workers have been dealing with issues such as:

- shielding
- employers' distrust
- being furloughed as a reasonable adjustment
- being trapped in low-paid and part-time jobs
- facing lack of progression and job losses
- short and long term effects of COVID-19

"Long Covid"

People diagnosed with 'Long Covid' could qualify as disabled people under the Equality Act 2010 and we need to ensure protection at work and in society for all disabled people.

Action to prevent disability discrimination including identifying reasonable adjustments are a vital requirement.

A crisis in social care

Unite campaigns for the establishment of a National Independent Living Support Service (NILSS) that gives new universal right to independent living.

Action to prevent disability discrimination including identifying reasonable adjustments are a vital requirement. COVID-19 crisis has exposed fundamental flaws in the current social care system. The overwhelming majority of disabled people who receive social care do not receive healthcare interventions through their packages. This makes the NHS responsible for social care which consequently medicalises the service.

Advocating the Social Model of Disability

Unite supports and promotes the "Social Model" of disability. We advocate that it is not a person's impairment or condition which disables them but it is society's reaction to it that limits their lives and opportunities.

Due to the COVID-19 crisis, the social model of disability could be under threat with the medical model becoming more significant.

The Coronavirus Act 2020

The Coronavirus Act 2020 adversely impacts disabled people by weakening social care safeguards and removing protections for those with mental health issues, for example:

- it frees local authorities of their duties to provide social care support under the Care Act 2014 unless under exceptional circumstances
- it makes changes to the Mental Health Act 1983 by removing essential safeguards. For example, there is now no need for two doctors to sign-off a person's detention under the Mental Health Act 1983. And there no longer needs to be a review by an independent doctor of whether someone under section should continue to be medicated against their will after three months.

Civil liberties are threatened under the Coronavirus Act 2020

The Act also increases police powers and threatens the right to protest. There is no end date for the Coronavirus Act 2020 raising concerns about the future.

TAKING ACTION

Unite priorities in this crisis are to protect everyone's safety, jobs and income. Unite reps need to ensure that during these times disability equality is on the bargaining agenda and that employers make a commitment to equality. This is particularly important as the COVID-19 health emergency is a rapidly changing situation.

Action in the workplace

Workplace disability audit

In order to tackle any barriers that might get in the way of ensuring the full and active participation of disabled people, the first step for our union reps is to carry out a workplace disability audit.

Workplace equality impact assessment and other action

it is essential to ensure a Workplace Equality Impact Assessment is carried out alongside.

- a workplace health and safety risk assessment
- redundancy mitigation
- protection of fair pay and conditions



Unite reps need to use Equality Impact Assessments as an essential tool to negotiate changes to working practices, particularly home-working policies, redundancies, working hours, fair pay and conditions and equality-responsive occupational health and safety.

As a Unite safety rep you can use your rights to request from your employer copies of Equality Impact Assessments associated with health and safety policies and procedures when carrying out your inspections and investigations.

Unite safety reps and union equality reps can use equality impact assessments to work together to ensure that all policies and procedures are equality proofed and effective for all workers.

You can access Unite's extensive information about COVID-19 here:

<https://unitetheunion.org/campaigns/coronavirus-covid-19-advice/>

For Unite Equality Impact Assessment Guide please click on the link below

<https://unitetheunion.org/media/3382/action-on-covid-19-equalities-booklet.pdf>

Write to your MP

Write to your MP to let them know about all of the issues that are set out in this briefing and ask them to set out a strategy to support disabled workers through COVID-19 and redress the structural inequality that disabled workers face in the longer term.

You can find your MP's details here:

<https://www.theyworkforyou.com/>

Keep in touch with Unite

Please let us know if you have any questions or comments or any success stories relating to supporting disabled members through the COVID-19 crisis by emailing equality@unitetheunion.org

PROTECT DISABLED MEMBERS' SAFETY, JOBS AND INCOME

PROTECT DISABLED MEMBERS' SAFETY

- Health & Safety and Personal Protective Equipment (PPE)
- Working from Home and Reasonable Adjustments
- Zero Tolerance of Harassment, Discrimination and Bullying

Health & Safety and Personal Protective Equipment (PPE)

1. HEALTH AND SAFETY GENERALLY

Our disabled members work across many of our industrial sectors and account for 14% of key workers across the country. There are major challenges in safe working practices and access to PPE.

The majority of people will have mild to medium symptoms. But the virus is proving extremely dangerous to people with weakened immune systems, older people, and those with long-term conditions like diabetes, cancer and chronic lung disease. Recent evidence has identified that BAEM people are adversely affected, especially if additional health risks are present.

One size does not fit all

General COVID-19 safety guidelines might not suit all workers for example the wearing of masks may be a barrier to communication for people who rely on lip reading or have respiratory health issues, and social distancing presents challenges for blind or partially sighted people. Employers must ensure that Covid-19 prevention measures suit the individual disabled member's needs.

At risk groups

If you fall into any of the at risk groups, you should inform your employer of your health status immediately. The employer must perform a risk assessment to assess your likely exposure to COVID-19 and any mitigating control measures that can be enacted, then implement these as soon as possible to provide a safe working environment. This may require you to work from home, stagger working time – arrival and departure – where possible, or change job roles without suffering any detriment to pay and benefits whilst the COVID-19 virus is at large in the population.

If an employee has a disability defined by the Equality Act 2010 which could compromise their immune system or pose a higher risk of developing severe COVID-19, the employer may have a legal duty under the Act to make reasonable adjustments to the employee's working arrangements.

For more information on at risk groups please see information from Unite:

<https://unitetheunion.org/campaigns/coronavirus-covid-19-advice/>

Unite is advocating a risk assessment approach using the hierarchy of control common in good health and safety management. No work should start without an up to date COVID-19 risk assessment and individual risk assessments should be carried out for disabled members and members who are at particular risk from COVID-19.



HEALTH AND SAFETY LAW

In addition to their duties to protect their employees' health, safety and welfare while they are at work under the Health and Safety at Work etc Act 1974, employers have general duties to carry out risk assessments under the Management of Health and Safety at Work Regulations 1999.

There are specific workplace risk assessment requirements under the Control of Substances Hazardous to Health Regulations 2002 (COSHH) which apply to infectious micro-organisms/biological agents, of which coronavirus is a group.

1. PERSONAL PROTECTIVE EQUIPMENT

Our disabled members have significant problems in accessing the correct PPE: either they are unable to access it, or if it is available it is in short supply. There is also a lack of training on how to use the PPE, it does not fit properly, it is not the right type, or it is out of date.

Also, due to cuts to social care and lack of resources many disabled workers who need to use personal protective equipment are struggling to get hold of it for themselves or their personal assistants.

Key points: PPE

Health and safety of workers is our highest priority. It is important to encourage our disabled members to report when they are concerned about health and safety.

Collective protective measures in the workplace must take priority (such as physical distancing, erecting barriers). If, having taken these measures, there is still a risk to workers, then PPE must be used as part of the Covid-19 prevention strategy.

PPE is generally designed by men for men based on the sizes and characteristics of male populations from certain countries in Europe and the USA. Also, needs of disabled workers are not considered. As a result many disabled workers who do not come in this standard range experience problems in finding suitable and comfortable PPE, and are put at risk. Employers must work with manufacturers and suppliers to source appropriate PPE (in consultation with Unite safety representatives and equality representatives).

PPE principles

- Selected based on the hazard identified
- Provided free of charge to workers
- Workers given a choice of suitable PPE
- Wearing PPE must not create additional hazards
- One size does not fit all: a range of sizes made available which are designed to fit women and men and to take account of particular characteristics of workers including disabilities
- Fitted to the individual worker and not shared
- Be compatible when worn with other PPE
- Workers trained to use PPE correctly
- Stored safely and regularly cleaned, inspected and maintained (or disposed of and replaced)

Protection from detriment or dismissal under the Employment Rights Act 1996 for workers facing a situation of imminent danger.

In addition to requirements under health and safety law, employees are protected from being subjected to a detriment or dismissal (contained in S44 & S100 of the Employment Rights Act) on grounds that:

- (i) *'in circumstances of danger which the employee reasonably believes to be serious and imminent and which they could not reasonably be expected to have averted, they left (or proposed to leave) or (while the danger persisted) refused to return to their place of work or any dangerous part of their place of work';* or
- (ii) *'in circumstances of danger which the employee reasonably believed to be serious and imminent, they took (or proposed to take) appropriate steps to protect themselves or other persons in danger.'*

It is for individuals to make their own decisions in their own workplace as to whether there are 'circumstances of danger' which they 'reasonably believe' to be 'serious' and 'imminent' so as to justify leaving the workplace or (while any danger persists) refusing to return or taking appropriate steps to protect themselves.

This advice is intended only to communicate what the law is; however if members suffer a detriment or dismissal on the basis of a genuine and reasonable belief then UNITE WILL SUPPORT YOU. You should contact your rep or officer as soon as you have removed yourself from danger.

For more information please refer to: <https://unitetheunion.org/media/3094/legal-s44-100-advice-to-members-returning-to-workplaces-200520.pdf>

UNITE ACTION

PPE

Unite is leading the campaign for production, distribution and supply of PPE to frontline workers.

Safe working practices

There are many examples where Unite has been able to negotiate safe working practices. Your regional officer will be able to give you examples of best practice including workplace adjustments, travel to work, shorter shifts and moving to working online.

Unite health and safety guides – COVID-19

You can access Unite guides for vital information about Health and Safety.

General advice link to all the Unite guides and advice on Covid-19

<https://unitetheunion.org/campaigns/coronavirus-covid-19-advice/>

Examples of Unite guides

BAEM health and safety <https://tinyurl.com/c5bzft9a>

Covid-19 and workplace health and safety <https://tinyurl.com/ktu3sj34>

Covid-19 risk assessment <https://tinyurl.com/fed6neh6>

Workplace infection control and facilities at work <https://tinyurl.com/2tcnhzmy>

Mental health under the strain of a pandemic <https://tinyurl.com/43kt8trj>



Unite helpline

Unite has launched a helpline and volunteer care service for its vulnerable members during the coronavirus crisis.

Unite members can call the helpline number 0330 1072351. The helpline is fully staffed between 08:00 until 19:00 Monday to Friday with an overflow service at other hours. A Unite volunteer will be assigned to assist anyone who needs help with picking up shopping, posting mail, collecting urgent supplies, such as prescriptions, or simply talking to those who are experiencing loneliness. For more information use the link <https://tinyurl.com/a2k7e434>

Working from home and reasonable adjustments

Although some of our disabled members have already been working from home, for others this is a new way of working. Disabled members often find it hard to get their reasonable adjustments agreed and implemented. During the COVID-19 crisis it has become even harder to get, and keep in place, the reasonable adjustments they need to do their job.

Some disabled workers have found that their employer has suddenly agreed to their request of working from home, while others find this way of working during the pandemic frightening, exhausting and isolating.

Some employers have been focusing solely on providing reasonable adjustments to workers that the government has listed as vulnerable and forgotten about adjustments for other disabled workers who do not fall into the listed groups.

Many disabled workers are living in unsuitable housing, have had no risk assessment carried out and are faced with an increased rate of domestic violence and abuse, including financial abuse.

Domestic violence is an increasing concern while many women are working from home – disabled women are twice as likely to experience domestic abuse. The workplace is often one of many places in which women can access support and information.

Employers have a legal duty of care to their employees and should:

- look out for signs of domestic abuse
- respond appropriately
- support someone who is experiencing domestic abuse
- keep a record of incidents at work and when employees report domestic abuse, and any actions taken

Unite has published guidance for members on domestic violence and abuse which can be accessed here <https://unitetheunion.org/media/3493/9223-violence-and-abuse-doc-003.pdf>

There are other issues that will affect disabled members while working from home including:

- working longer hours
- working alone
- working without supervision
- issues around IT including broadband capacity
- the need for specialised equipment such as display screen equipment
- the management and coordination of work
- stress and mental health

- an increase in the use of video and phone conferencing which can make it harder for some disabled members to participate

Employer's duty to make reasonable adjustments under the Equality Act 2010

Employers have a duty to make a reasonable adjustment where a provision, policy or practice and/or any physical features of premises causes a substantial disadvantage for a disabled person. An example would be when a worker is required to start to work from home.

New requirements for each disabled member for reasonable adjustments should be addressed, implemented and paid for by employers. It is important to remember that with different ways of working due to the pandemic, reasonable adjustments which had been agreed could have, or can, change.

Equality and Human Rights Commission Employment statutory code of practice and COVID-19 guidelines

Employers should follow the guidelines of the EHRC Statutory Employment Code of Practice to meet their responsibilities in the Equality Act 2010.

<https://www.equalityhumanrights.com/en/publication-download/employment-statutory-code-practice>

The Equality and Human Rights Commission has also published COVID-19 guidelines for employers on reasonable adjustments which provides some helpful examples of reasonable adjustments

<https://www.equalityhumanrights.com/en/advice-and-guidance/coronavirus-covid-19-guidance-employers-reasonable-adjustments-employees>

What can Unite reps do to support disabled members working from home?

1. Members who are experiencing 'Long COVID' are faced with employers' distrust and disbelief. Unite reps need to ensure employers conduct individual risk assessments and to make reasonable adjustments for workers experiencing this.
2. Make sure that disabled members who want to keep their agreed adjustments are able to do so, and members who need changes particularly due to COVID-19 measures are accommodated.
3. Encourage members to ask for new reasonable adjustments they need and additions to existing adjustments. New adjustments could include altering work hours, installing software programmes or delivering specialist pre-assembled equipment like a work chair or desk.

Examples of reasonable adjustments for home working

An employee who needs voice activated software is now required to use their own laptop when working from home - the employer pays for the software to be installed.

An employee needs to attend video and phone conferencing from home – the employer makes speech-to-text available and pays for installing a specialist phone or provides a BSL interpreter to join video conference meetings.



4. If a member has a Reasonable Adjustments Passport then Unite reps need to make sure modifications to existing adjustments or any new ones are all recorded.
5. Inform members that they are entitled to have a Unite rep present at any meetings with management when discussing their reasonable adjustments.
6. Remind employers of their health and safety responsibilities for those working from home. Employers should ensure home is a safe, secure place of work including fully supporting women working from home by adapting and/or introducing security plans as well as signpost them to help, taking into account ergonomics, pay for all equipment, ensure normal working hours, maintain any benefits related to usual place of work for example, if lunch or childcare is paid for, steps are taken to address concerns of isolation and loneliness.
7. Negotiate a workplace working from home policy. If one already exists it may need to be reviewed because of COVID-19. Make sure you are consulted about any changes.

UNITE ACTION

Unite is campaigning for:

- shorter working hours, health and safety of all workers and decent employment rights whether working in a workplace or from home
- stronger legislation covering employment, the duty to carry out reasonable adjustments and domestic violence and abuse, to support our collective bargaining agenda

Disability Equality at Work - Unite Negotiators' Guide

https://unitetheunion.org/media/3415/3771_disibility-negotiators-guide_2016_finalx.pdf

Unite Mental Health Guide for reps and negotiators

<https://resources.unitetheunion.org/media/1713/1713.pdf>

Unite has produced guidance on COVID-19 and homeworking in the link below

<https://unitetheunion.org/media/2996/101-unitehomeworkingguide-20-04-01-v01b.pdf>

You can access Domestic Violence and Abuse - Unite Equalities Advice and Guidance here

<https://unitetheunion.org/media/3493/9223-violence-and-abuse-doc-003.pdf>

Zero Tolerance of Harassment, Discrimination and Bullying

Harassment, Discrimination and Bullying cause untold misery and humiliation to thousands of workers, particularly women, black, Asian & ethnic minorities, disabled, LGBT, and young and older workers every year. All Unite members should be able to turn to the union for advice, support and representation if they are subjected to unwanted and/or offensive attention, exclusion, verbal or physical abuse and undermining of their capabilities.

There has been a rise in disability hate crime due to the inaccurate perception that disabled people are "virus spreaders", when they are being told online that their lives are inferior and are taking up resources from non-disabled people, while having priority in queues, for not wearing a face covering or not adhering to social distancing.

Shortages in social care could lead to increased hate crime against disabled people as they are forced to rely on strangers to do tasks previously undertaken by carers/personal assistants.

Unite reps need to be fully aware of harassment, discrimination, bullying and hate crime in order to deal with it effectively, provide support to members at work and in the community, and ensure that workplaces have zero tolerance of all forms of harassment, discrimination and bullying.

UNITE ACTION

Unite is campaigning for a specific legal duty on employers to prevent harassment, discrimination and bullying at work.

Click on the link below for Unite guidance on tackling and preventing harassment, discrimination and bullying and ensuring workplaces where there is dignity and respect for all.

<https://unitetheunion.org/media/2476/zero-tolerance-guide.pdf>

You can find Unite regional contacts and support at the end of this guide.



PROTECT DISABLED MEMBERS' JOBS

- Job Retention
- Access to Work
- Disabled Women

Job Retention

Disabled workers are more likely to work in part-time, casual, or zero-hours contracts. These members have been most at risk of losing their jobs and their income during the COVID-19 crisis.

Disabled workers are less likely to be in employment due to discriminatory attitudes and barriers in retaining or accessing work for example, lack of transport, inadequate equipment or adjustments made once they are there.

Disabled workers fare much worse in economic downturns as they find it harder to find work or are first to lose their job. With an employment gap of almost 30%, Unite will do its utmost to ensure a different outcome for disabled members in the expected recession caused by the COVID-19 crisis.

Reasonable adjustments

Some employers have decided to put disabled workers on furlough to avoid making reasonable adjustments when they might need to work from home, or targeted disabled workers for redundancy.

Unite reps need to ensure that employers

- make reasonable adjustments, including adjustments to redundancy criteria and procedures
- do not use the pandemic to discriminate against disabled members

Accessibility

Access is an important issue that has to be kept on the agenda. The redesign of public spaces to promote social distancing is often being implemented at the expense of accessibility.

Unite reps need to ensure that employers:

- carry out a workplace disability access audit to identify any improvements that are needed including access to the building and all facilities such as toilets and canteens. It should also include access to language, information and workstations including for written materials, circulars, notices, websites, telephones and IT equipment
- consult disabled members so that they can point out any access problems that need resolving.

The Government has issued guidance for those who are 'clinically extremely vulnerable (CEV)' to COVID-19. Predictably, the new guidance does not mandate that all those who are shielding and cannot work from home must be put on furlough, so that they are not pushed into poverty by having to rely on statutory sick pay or other social security benefits. The Government should have developed a furlough scheme for workers who were shielding and could not work from home.

As it has been very difficult for members to get on the clinically extremely vulnerable (CEV) list, Unite reps need to ensure those who need to shield and are not on the list, get full union support.

Coronavirus Job Retention Scheme (“furlough”)

Unite has been at the forefront of campaigning for job protection. As a result of pressure, the government furlough scheme, the Coronavirus Job Retention Scheme, has been extended until 30 September 2021. Also, flexible furloughing will continue to be allowed in addition to full-time furloughing.

You can access information and updates about the Job Retention Scheme using the following link <https://unitetheunion.org/campaigns/coronavirus-covid-19-advice/#Anchor1>

UNITE ACTION

Unite is committed to ensure employers:

- Do not use disability related sickness absence of any criteria for redundancy, disciplinary, promotion, or performance appraisals and nor shall it be used to reduce pay
- Make reasonable adjustments to ensure the retention of disabled workers without financial loss, provide disability and special leave

Unite has been at the forefront of campaigning for job protection and you can access information about the Job Retention Scheme using the following link <https://unitetheunion.org/campaigns/coronavirus-covid-19-advice/#Anchor1>

In many cases Unite has been able to negotiate agreements with employers to ensure that workers are provided with job protection during COVID-19. Please see some examples here: <https://unitetheunion.org/news-events/news/2020/april/unite-hails-victory-as-1-500-marriot-hotel-workers-go-on-coronavirus-job-retention-scheme/>

<https://unitetheunion.org/news-events/news/2020/april/greenwich-library-coronavirus-furlough-deal-could-act-as-national-template-says-unite/>

Unite guidance: Disability Equality at Work - Unite Negotiators’ Guide
https://unitetheunion.org/media/3415/3771_disibility-negotiators-guide_2016_finalx.pdf

Access to Work

Access to Work grants are crucial for disabled people to overcome the barriers they face in accessing and retaining employment. This has become even more important during the COVID-19 crisis.

Access to Work is cost effective and benefits disabled people and employers as well as the government through income tax. Larger employers should make the required modifications and smaller organisations should seek financial support from Access to Work.

However, many employers have no knowledge of this scheme and the financial help they can receive. Therefore, the Government should make sure employers are aware of grants from Access to Work.

More disabled workers have started working from home and need an Access to Work grant so that they can continue working. However, caps on Access to Work grants are a significant barrier to disabled workers’ access to employment.



Unite reps need to ensure disabled workers who are working from home have appropriate support. This is particularly important for workers defined as 'clinically extremely vulnerable'. A one off easy to access payment from Access to Work can facilitate this.

Members who use Access to Work grants to pay their PAs could face problems if their PA needs to self-isolate or shield and also, if they themselves are furloughed.

Unite believes that all these members should be able to get their full awards to enable them continue paying their PAs.

UNITE ACTION

Unite will continue to call for sufficient funding for Access to Work and an end to caps on grants to assist disabled workers' recruitment and retention at work. This should be combined with a programme to inform both employers and disabled people of the availability of this grant.

We want the government to bring in a process that allows for a one-off easy to access payment from Access to Work to make the home an accessible and appropriate place to work for the medium to long term. This will protect disabled workers' jobs, and allow them to safely and productively continue to work from home.

The government should also continue funding existing level of awards to allow disabled workers to maintain the same level of pay for their Access to Work funded PAs.

Government Guidance on changes to Access to Work

<https://www.gov.uk/government/publications/access-to-work-factsheet>

<https://www.gov.uk/government/publications/access-to-work-guide-for-employers/access-to-work-factsheet-for-employers>

Disabled Women Workers

The impact of COVID-19 crisis on disabled workers is clear however, women have fared much worst during the pandemic.

Disabled women¹ have been finding social isolation difficult to cope with and many have not left their homes for weeks. They have had less life satisfaction and happiness compared to non-disabled women. Over half of disabled women reported high levels of anxiety. Majority of disabled women have struggled to access necessities from shops and fear they are missing out on medicines.

1 in 5 disabled women reported losing support from the government and just under a half reported losing support from other people. Many said they were not sure where to turn to for help as a result of the pandemic.

A higher proportion of disabled women working from home reported spending more time working now than before the COVID-19 crisis. They were also more likely to report that they are finding it more difficult to focus at work, and that are finding work more stressful. Disabled women are already known to be at higher risk of domestic abuse, and due to the pandemic household relationships are under additional strain for many.

¹ <https://www.fawcettsociety.org.uk/disabled-women-and-covid-19>

More disabled mothers reported that their children did not have access to the equipment they needed to study at home, compared to non-disabled mothers. The majority of disabled mothers said they were struggling to cope with all the different demands on their time including paid work and looking after their children. More disabled women had already run out of money than non-disabled women.

UNITE ACTION

Unite will continue to campaign for disability and gender equality and will push the government for action to eradicate disability and sex discrimination.

THE LINK FOR IMPACT OF COVID-19 ON DISABLED WORKERS BRIEFING

Disability Equality at Work - Unite Negotiators' Guide

https://unitetheunion.org/media/3415/3771_disibility-negotiators-guide_2016_finalx.pdf

You can access Unite Domestic Violence and Abuse guide here –

<https://unitetheunion.org/media/3493/9223-violence-and-abuse-doc-003.pdf>

Government Guidance on changes to Access to Work

<https://www.gov.uk/government/publications/access-to-work-factsheet>

<https://www.gov.uk/government/publications/access-to-work-guide-for-employers/access-to-work-factsheet-for-employers>



PROTECT DISABLED MEMBERS' INCOME

- Tackling Low Pay and the Disability Pay Gap
- Equal Pay
- Tackling the Debt Crisis

Tackling Low Pay and the Disability Pay Gap

Disability remains a significant barrier to getting and retaining employment. Disabled workers are less likely to have a paid job but even when they do, they earn substantially less than non-disabled workers.

Currently, disabled workers earn one fifth less than non-disabled workers. The pay gap has widened since last year and this year's 20% pay gap means that disabled people effectively started to work for free from 1 November. The disability pay gap is widest for people with a mental impairment.

Disabled workers are more likely to be in part-time jobs where pay rates are often lower. Disabled workers are over-represented in lower paid occupations such as process, plant and machine operatives; administrative and secretarial; caring, leisure and other service occupations and in sales and customer service.

Additionally, many disabled workers fall into the government's category of "clinically extremely vulnerable" to coronavirus. Disabled workers who cannot work from home are advised not to attend work where formal shielding advice is in place and others are very concerned about going back into the workplace.

Unite reps need to ensure disabled members have equal pay, conditions and training opportunities as well as equal access at recruitment, retention and promotion levels.

UNITE ACTION

Unite will continue to campaign for the elimination of disability pay gap particularly in the current crisis. We will press the government to put measures in place to ensure disabled people get into better paid jobs and that all part-time work is well-paid and of good quality.

Unite campaigns for "clinically extremely vulnerable" workers who are advised not to attend workplaces to be eligible for the Job Support Scheme throughout the country, not just in Tier 3 areas, with no minimum working hours requirement.

Equal Pay

Gender and disability discrimination in employment persists with barriers to employment continuing and women more often found in lower paid jobs. Currently, disabled women face the biggest pay gap: they are paid on average 36% less than non-disabled men. This means that disabled women earn £3.68 an hour or around £6,700 a year less than non-disabled men.

The COVID-19 crisis has further revealed disabled women's unequal pay and the undervaluing of women's work in general. This lack of progress is deeply concerning, particularly when in 2020 we marked the 50 years since the Equal Pay Act 1970.

In this climate the suspension of gender pay gap reporting so close to its publication deadline interfered with accurately measuring the true impact of COVID-19 on women's jobs and pay and has also removed the benchmark and the momentum.

Unite reps need to:

- keep the gender pay gap on the bargaining agenda
- ensure the employer makes a commitment to equal pay for equal work and takes the action needed to implement this commitment.
- make sure the employer conducts an equal pay audit and consults and involves them throughout the process.

UNITE ACTION

Unite strongly believes this inequality, a direct result of sex and disability discrimination, must be eliminated and will continue to campaign for stronger equal pay law, mandatory Equal Pay Audits, transparency in pay systems, statutory rights for Union Equality Reps and enhanced maternity/carers rights.

Tackling the Debt Crisis

Lack of decent and accessible housing, mounting utility bills, demands for rent and dealing with debt are all having a serious impact on disabled workers at a time when many have been struggling to get by and survive the impact of austerity and the current COVID-19 crisis. Many disabled workers rely on Universal Credit and other social security benefits which have been failing them.

Disability comes with greater expenditure and for some as much as 24% on top of normal spending. Disabled people are more likely to live in poverty and more than three times as likely to have to use food banks.

Disabled women are particularly vulnerable to poverty through financial domestic abuse where partners control their access to money even for essentials. This situation has worsened due to the pandemic.

The government has provided very little support to lift disabled workers out of debt and poverty.

Universal Credit

Universal Credit is a brutal, discredited system which causes severe hardship, misery, suffering and even deaths and not least because there is an enforced five week wait before the first award is received.

COVID-19 crisis has caused a 90 percent increase in the number of people on Universal Credit. Disabled claimants and people on low incomes are more likely to claim advances and have other debts to repay from their Universal Credit. Majority of claims including someone who has limited capability for work because of a disability, health condition or a disabled child had a deduction applied to their first payment to cover advance repayments or other debts. Disabled people are also less likely to be paid on time due to long waits for Work Capability Assessments.

Under pressure, the government made an increase of £20 to the weekly rate for Universal Credit and suspended the harsh sanctions regime, which sees many claimants unable to feed themselves and their children or pay their rent.

However, this increase is only temporary (currently set to end at the end of September 2021) and only applies to Universal Credit claimants, leaving behind many disabled people on Job Seekers Allowance (JSA) and Employment Support Allowance (ESA).



UNITE ACTION

Unite campaigns for scrapping the Universal Credit and carry out a far-reaching social security reform that truly makes work pay and to protect those unable to work.

Unite is also pressing the government to end the five-week wait for Universal Credit payment, make the temporary extra £20 payment permanent and extend it to ALL existing social security benefits, and stop Benefit Sanctions.

Write to your MP and tell them about Unite's #Universal Dis-Credit campaign and your own experience. You can find your MP here: <https://www.theyworkforyou.com/mp/>

Unite benefits advice line

Additionally, Unite has set up a dedicated benefits advice line which members can access by calling **0333 202 6563**.

Please note that phones may be busy, but we will do everything we can to respond to all member enquiries as quickly as possible.

For Unite information on universal credit click on the links below:

<http://unitelive.org/universal-credit-chaos-coronavirus-crisis/>

<https://unitetheunion.org/media/2194/stop-universal-credit-how-to-survive-booklet.pdf>

https://unitetheunion.org/media/2631/8869_universal-credit-report_a4_finaldigital.pdf

Department of Work and Pensions (DWP)

If members need advice on a COVID-19 related benefits query, information is available from the DWP online <https://www.understandinguniversalcredit.gov.uk/employment-and-benefits-support/>

BUILDING OUR COLLECTIVE STRENGTH

It is so important that Unite uses the full force of our collective strength to ensure no worker is left behind and that a decent income is provided during this pandemic, and so that we have:

- secure, decent jobs in the longer term
- sectoral collective bargaining so that everyone is protected
- statutory rights for union equality reps

Disabled workers are joining Unite and we are reaching out to our new members to get organised and encouraging all Unite disabled members to get involved.

- Stand for election as a union rep, health and safety rep, union equality rep, disability champions or branch officer
- Bring work colleagues into membership
- Demand union recognition and collective bargaining for wages and conditions going forward
- Write to your MP to demand an end to the scandal of low pay and the undervaluing of disabled workers
- Write to your MP to demand an end to the scandal of low pay and the undervaluing of social care workers



LASTING CHANGE

Unite supports a “Social Model” of disability since it underpins disabled peoples’ right to their place in a fairer and more equal society. This model includes everyone in the activities of society and unlike the “medical model”, suggests that it is not a person’s impairment or condition which disables them but it is society’s reaction to it that limits their lives and opportunities.

Disabled peoples’ right to independent living is underpinned by the social model which means identifying the barriers to participation and addressing them.

Unite advocates the **Social Model** of disability and campaigns for:

- Full civil rights for disabled workers and a decent standard of living
- Disability access at work and in the wider community
- A National Independent Living Support Service, enshrined in law and free at the point of need, which gives new universal right to independent living and is led by disabled people and delivered locally in co-production with disabled people

Unite continues its work to ensure that there is a lasting recognition in pay and equality at work for all workers by:

- Prioritising to protect everyone’s safety, jobs and income
- Promoting and advocating the “social model” of disability to raise awareness and understanding that this means “fit the job to the worker, not the worker to the job”
- Ensuring Unite reps negotiate for the “social model” approach which empowers disabled members and for employers to have a proactive approach to removing barriers benefitting current and future disabled workers
- Encouraging disabled members to become health & safety, union equality reps and /or disability champions
- Campaign for mandatory Workplace Equality Impact Assessments with strong implementation, regular monitoring and action on recommendations
- Training reps to carry out equality impact assessments
- Campaign to extend the Equality Duty to the private sector
- Press the government to tackle poverty, provide a decent standard of living and address the immediate impact of COVID-19 through:
 - Elimination of disability employment and pay gaps
 - An end to cuts, targeting of disabled people, and hate crime
 - A proper social security system that truly makes work pay and protects those unable to work
 - Scrapping the Universal Credit and in the meantime ending the five-week wait for payment, making the temporary extra £20 payment permanent and extend it to ALL existing social security benefits, and stopping Benefit Sanctions
 - Decent pay rise for public sector workers
 - National Living Wage increase
 - A framework for trade union rights

UNITE NATIONAL AND REGIONAL CONTACTS

128 Theobald's Road, Holborn, London WC1X 8TN

email us equality@unitetheunion.org

Harish Patel, National Officer for Equalities - 020 7611 2643

Diana Holland, Assistant General Secretary, Transport - Equalities - Food 02076112563

Anooshah Farakish, Researcher for Equalities - 020 7611 2639

Regional Women's & Equalities Officers

North West	Sharon Hutchinson	0161 848 0909
North East, Yorkshire & Humberside	Sue Pollard	0113 236 4830
West Midlands	Maureen Scott-Douglas	0121 553 6051
East Midlands	Neelam Verma	0133 254 8400
South West	Karen Cole	0117 923 0555
South East	Janet Henney	0118 402 6810
London & Eastern	Carolyn Simpson	
	Margaret Bourne (stand down officer)	020 8800 4281
Ireland	Taryn Trainor - Belfast	028 90 232381
Dublin		00353 (0)1 8734577
Scotland	Lorna Glen	0141 404 5424
Wales	Jo Galazka	02920 394 521



Useful Organisations

Trade Union Congress (TUC) - www.tuc.org.uk, 020 7636 4030, info@tuc.org.uk

ACAS - www.acas.org.uk

Health and Safety Executive (HSE) - <https://www.hse.gov.uk> - Tel: 03007906787

The HSE has published a range of COVID-19 guidance <https://tinyurl.com/yys2dj8r>

This includes HSE guidance on protecting vulnerable workers <https://tinyurl.com/7kxfrcw>

Equality & Human Rights Commission (EHRC) - www.equalityhumanrights.com, Phone Advice: 0808 800 0082, Textphone Advice: 0808 800 0084

Mind - <https://www.mind.org.uk/> Infoline: 0300 123 3393

Disabled People Against Cuts (DPAC) - <https://dpac.uk.net/>

Disability Hate Crime Network - <https://www.facebook.com/groups/disabilityhatecrimenetwork/>

Mental Health Resistance Network (MHRN) Face Book - <https://www.facebook.com/MHResist/>

Black Triangle - <https://blacktrianglecampaign.org/>

Disability News Service (DNS) - <https://www.disabilitynewsservice.com/>

Inclusion London - <https://www.inclusionlondon.org.uk>, Phone: 020 7237 3181, Text: 0771 839 4687

ENIL European Network on Independent Living - <https://enil.eu/>

Liberty - www.libertyhumanrights.org.uk

Unite equality briefing for Reps

COVID-19 IMPACT ON DISABLED MEMBERS



www.unitetheunite.org

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