

SAFER JOBS STRONGER UNIONS

Building worker power through health & safety





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EXECUTIVE SUMMARY

The Covid-19 crisis caused waves of sickness, mental and physical exhaustion and death for essential workers in care homes, grocery stores, warehouses and distribution centres. In response to the pandemic—and the long-standing problems it exacerbated—trade unions developed successful strategies and tactics for building union power by organizing for occupational safety and health (OSH) improvements. This project, a collaboration between UNI Global Union's Care and Commerce sectors, examines lessons learned over the past two years and puts forward recommendations to build on workers' OSH wins.

The global Covid-19 pandemic and its economic fallout revealed the vulnerability of workers in care and commerce to unsafe and unhealthy work environments and sparked organizing around occupational safety and health issues. In the commerce sector, a dramatic expansion of e-commerce and warehouse work created new hazards and a new recognition of the essential nature of the work itself. In the care sector, the physical dangers and mental stress of the pandemic escalated with each new wave of the virus. Throughout the world, workers took action, using their collective power to ensure the safety of their workplaces, families and communities.

This report demonstrates how OSH became a rallying point for workers fighting for their rights across the globe. We find that workers in Europe, Asia and the Americas used five successful approaches in this fight:

- ▶ 1 Emphasizing OSH in collective bargaining with employers,
- Pressuring government leaders to enact reforms,
- ▶ 3 Engaging in collaborative action with community organizations,
- ▶ 4 Turning OSH committees into organizing catalysts, and
- ▶ **5** Defining mental health issues as equal in value to physical health.

Through these strategies, workers asserted their power in new ways, and unions took on even greater responsibility for negotiating improvements to rules, procedures and equipment designed to keep workers safe, especially in dangerous times.

During 2020 and 2021, workers in care and commerce were in the vanguard of new approaches to organizing around safety and health issues, and through agreements with employers, research and safety guidelines, UNI supported affiliated unions' efforts to rally workers around OSH issues—to not only gain safer workplaces, but as a path to greater union power and improvements in wages and working conditions. The pandemic's long-term legacy is still unfolding, but we expect recent achievements in improving OSH during the health emergency to become the foundation of long-term commitments to improved conditions for all workers in a post-pandemic world.

In light of the continuing urgency of OSH issues for workers worldwide, UNI and its affiliates call on the International Labour Organization to define occupational safety and health as a fundamental right without delay.

INTRODUCTION

Workers in care homes, grocery stores, warehouses and distribution centres—all more essential than ever as a result of the global Covid-19 crisis—have faced waves of sickness, mental and physical exhaustion and death since the pandemic began. UNI Global Union listened to the stories of these frontline workers in the care and commerce sectors and discovered that their accounts all point to a single, clear conclusion: workers view health and safety as their most urgent workplace concern and a rallying point for action.

As this unprecedented global health crisis continues, workers in both care and commerce are organizing for fundamental improvements in workplace safety and health as never before. This report, a joint project of UNI Care and UNI Commerce, highlights recent trade union campaigns, most of which emerged in response to the pandemic. The conclusions point to successful strategies and tactics for building union power by organizing around occupational safety and health issues.

Forty years ago, the International Labour Organization (ILO) made occupational safety and health (OSH) a priority, urging all governments to formulate and implement national OSH policies. In October 2021, UNI Global Union joined unions on every continent in calling upon the ILO to define occupational safety and health as a fundamental right. As we strive to keep all workers safe, we know that true protection begins by ensuring that workers everywhere have the right to join a union and to independently elect safety and health committees. According to UNI Global Union's General Secretary Christy Hoffman:

Covid-19 has brought occupational safety to the forefront in the global conversation about workers' rights and put on display the indispensable role that unions play to keep workers safe from old and new forms of on-the-job hazards. The time is now to set new safety standards through bargaining and regulation to protect everyone. The right to health and safety is fundamental.³

Throughout the pandemic, unions have demonstrated their critical role in protecting workers' health by negotiating better rules and procedures with regard to overcrowding, access to personal protective equipment (PPE), staffing ratios, the "right to disconnect" and protection from violence at work. But our work is far from complete. For example, it is clear from Amazon's skyrocketing injury rates and the mental health consequences of constant surveillance at call centres that the pandemic's long-term legacy for workers is still unfolding.

This report looks beyond institutional initiatives to focus on the workers themselves. We highlight several recent victories for workers in care and commerce, digging deeper into multiple cases to reveal valuable approaches to building worker power around OSH. All the cases demonstrate that when workers unite and take action to protect safety and health on the job, they build power that can lead to far-reaching, positive change in their workplaces.

In each of the cases we describe how workers organized around specific OSH issues or leveraged those issues to make their voices heard and how those efforts led to tangible improvements in the workplace. The case studies are based on interviews with union representatives and members in autumn 2021. They clearly illustrate our contention that safety and health can and should be a key organizing tool to help workers build collective power.

The purpose of this report is to shine a spotlight on workers who are using diverse practices that turn OSH issues into organizing opportunities and new sources of power for their unions in many countries. Put simply, the goal of safe and healthy environments for all workers can be realized only if working people increase and assert their collective power.

- [1] International Labour Organization, International Labour Standards on Occupational Safety and Health, https://www.ilo.org/global/standards/subjects-covered-by-international-labour-standards/occupational-safety-and-health/lang--en/index.htm
- [2] UNI Global Union, Unions Strengthen Worker Protections, Demand to Elevate Health & Safety to ILO's Fundamental Rights Compact, 10 Oct 2021, https://www.uniglobalunion.org/wddw2021.
- [3] UNI Global Union, *Unions Strengthen Worker Protections, Demand to Elevate Health & Safety to ILO's Fundamental Rights Compact*, 10 Oct 2021, https://www.uniglobalunion.org/wddw2021.



Also worth mentioning but not specific to our two sectors

https://www.uniglobalunion.org/news/ unions-kick-global-push-essentialworkers-world-day-decent-work

https://www.uniglobalunion.org/wddw2021

https://www.facebook. com/UNIGlobalUnion/ videos/891758684877991/

RECENT UNI GLOBAL UNION OSH REPORTS

Safety and health legislation, regulations and workplace protocols codified before the pandemic have come under scrutiny worldwide as the crisis has exposed their weaknesses. UNI Global Union has studied multiple sectors, identifying new dangers resulting from both Covid-19 and changing workplace technologies, and advocated for the recognition of occupational safety and health as fundamental rights that should be recognized by the ILO.

In the care sector, key UNI reports on pandemic safety issues include:

- ► Building a Shield Against Covid-19: Guidelines for Unions to Respond
- ► An Overview of Union, Government, and Employer Actions Worldwide to Improve Conditions in the Long-Term Care Sector during COVID-19
- ► The Most Dangerous Job: The Impact of COVID-19 on Long-Term Care Workers in the US, UK, Canada, Ireland and Australia
- ► The Crisis in Care: The Urgent Need for Responsible Investor Action in Care Homes

In the commerce sector, key reports include:

- Guidelines for Keeping Fashion Retail Workers and Customers Safe During the Covid-19 Pandemic
- Guidelines on Protective Measures for Workers in the Food and Grocery Sectors
- ► The Impact of the Digital Transition on Commerce Workers in Asia and the Pacific in the Context of the Covid-19 Pandemic
- Still Essential: Changes to Food Retail Highlight Need for Union Growth
- Grocery Hypermarkets Essential in Crisis
- The Inconvenient Truth: The Pandemic of Violence and Harassment in Commerce



The ongoing pandemic and its economic consequences have revealed service workers' profound vulnerability to unsafe and unhealthy workplaces. We traditionally associate dangerous work with mining, fishing, farming and manufacturing, but service sector jobs now rank among the most dangerous in the world.⁴

Organizing among frontline service workers during the pandemic has expanded dramatically, particularly in campaigns that foreground occupational health and safety issues. Organizing around OSH can amplify workers' voices in ways that resonate with community members and allies and build union power, paving a path to greater power for the labour movement overall.

In the late 19th and early 20th centuries, workers literally fought for their lives on the job, battling deplorable, unsafe and unsanitary working conditions, long hours and six- or even seven-day work weeks. Around the world, workers organized and demanded an end to abusive practices, dangerous workplaces and exhausting hours. They marched in the streets and pressed local and national governments to put laws and regulations in place to protect men, women and children from exploitation, injury and death. In the process, they expanded their ranks and their economic power through solidarity and collective action.

Historically, some of the most successful campaigns to protect workers on the job have emerged from profound health or safety crises.

Although unique in many ways, the current Covid-19 health crisis evokes memories of past disasters that made a previously invisible workforce visible and shone a light on economic systems in desperate need of change.

For example, on 24 April 2013, at least 1,100 workers were killed and more than 2,500 were injured when the Rana Plaza garment complex building in Dhaka, Bangladesh, collapsed—the deadliest disaster in the history of the garment industry. In the wake of the tragedy, UNI together with IndustriALL Global Union negotiated the Bangladesh Accord to improve safety standards and hold companies accountable. Over eight years later, factory safety in Bangladesh has been transformed and workers have a right to refuse unsafe work and the right to report a safety issue without fear of reprisal. This report asserts that the expansion and strengthening of unions, with vigilant organizing and pressure on employers, consumers and governments, are the best paths forward.

In Nova Scotia, Canada, in 1992, the Westray coal mine disaster killed 26 miners and opened up years-long inquiries into mine safety and calls for greater corporate responsibility for worker health and safety. The miners' deaths occurred after the company repeatedly ignored warnings about explosive coal dust and inadequate ventilation. Safety inspectors had discovered violations but failed to enforce their own orders.

- **[4]** UNI Global Union, *The Most Dangerous Job: The Impact of COVID-19 on Long-Term Care Workers in the US, UK, Canada, Ireland, and Australia*, Feb 2021, https://www.uniglobalunion.org/sites/default/filles/imce/the_impact_of_covid-19_fin.pdf.
- [**5**] International Labour Organization, The Rana Plaza Accident and Its Aftermath, https://uniglobalunion.org/news_media/uploads/2021/02/the_impact_of_covid-19_fin.pdf
- **[6]** UNI Global Union, International Accord, https://uniglobalunion.org/workers-rights/international-accord/
- [7] Simon Fridlyand, "Lessons from the Westray Mine" MRO Magazine, 1 Jun 2007, https://www.mromagazine.com/features/lessons-from-thewestray-mine/

As a result of persistent worker action, the

Canadian government enacted new laws, including a 2003 addition to the criminal code declaring, "Every one who undertakes, or has the authority, to direct how another person does work or performs a task is under a legal duty to take reasonable steps to prevent bodily harm to that person, or any other person, arising from that work or task."

Most countries now have national safety and health standards, and—like Canada—some have passed and implemented legislation that allows for the prosecution of companies that violate OSH regulations. But as the service sector overtakes manufacturing to dominate the global North's economies, the coronavirus pandemic has become for workers in care and commerce what the Rana Plaza and Westray disasters were for manufacturing and mining—a catalyst for change.

In 2022, the scope of our continuing collective tragedy knows no borders as the pandemic continues to reveal the ineffectiveness of OSH regulations and legislation in every nation. Workers and allies are struggling to adapt and meet the challenge of effectively organizing in the face of an unprecedented crisis. Most hard hit, as a direct result of the nature of their work, are those in the care and commerce sectors, the subjects of this study.



[9] Amnesty International, Public Services International and UNI Global Union, Covid-19: Health Worker Death Toll Rises to At Least 17,000 as Organizations Call for Rapid Vaccine Rollout, 5 Mar 2021, https://www.amnesty.org/en/latest/news/2021/03/covid19-health-worker-death-toll-rises-to-at-least-17000-as-organizations-call-for-rapid-vaccine-rollout/; UNI Global Union, Building a Shield Against Covid-19: Guidelines for Unions to Respond, 4 Mar 2021, https://uniglobalunion.org/sites/default/files/files/news/building_a_shield_final_english.pdf.

[10] UNI Global Union, The Most Dangerous Job: The Impact of COVID-19 on Long-Term Care Workers in the US, UK, Canada, Ireland, and Australia, Feb 2021, https://uniglobalunion.org/news_media/uploads/2021/02/the_impact_of_covid-19_fin.pdf

[11] UNI Global Union, *Risking Their Lives To Help Others Survive*, 4 Mar 2021, https://uniglobalunion.org/news_media/uploads/2021/03/risking_their_lives_report.pdf



Care and Commerce Workers Confront the Pandemic

Care workers live and work every day in environments that make them extremely vulnerable to the coronavirus. UNI Care's 2021 survey of 3,000 care workers in 36 countries revealed that they face persistent staffing shortages, low pay and poor safety conditions. An analysis by Amnesty International, UNI Global Union and Public Services International estimated that at least 17,000 health workers died in the pandemic's first year.9

Care workers in nursing homes and in-home care face high infection and death rates in what has become one of the deadliest jobs in the world. Dearly on in the pandemic workers faced challenges in obtaining enough personal protective equipment (PPE), further complicating efforts by political and public health officials to control the virus's spread. A worker interviewed in Belgium said she often had to wear the PPE of a coworker who had just finished their workday.

Such situations were common and persisted despite the fact that care workers often need masks, gloves and hand sanitizer even under normal conditions.

Commerce workers faced similar challenges to care workers. They require PPE, social distancing protocols and clear, well-enforced OSH standards, but the nature of their work is fundamentally different from that of care workers and comes with specific challenges. For example, according to the U.S. Bureau of Labor Statistics, injuries among warehouse workers put that occupation in the top 10 most dangerous, with falls, slips and trips, sprains, strains and tears being some of the most common issues.¹²

Workers in the retail food sector and e-commerce were profoundly impacted by the Covid-19 crisis.

As governments instituted lockdowns, whole industries halted production, shops closed, and consumption of many goods declined. However, food retailers and e-commerce companies saw a surge in demand as people in confinement sought out food and other necessities, often stocking up for long periods of isolation. Food retail and grocery store workers, along with cleaning service workers, were suddenly recognized as essential workers even as they continued to fight for decent wages and working conditions. With the onset of the pandemic they found themselves fighting for their lives as well.¹³





[12] Soter Analytics, Warehouse Safety, 27 Oct 2020, https://soteranalytics.com/safety-topics/what-is-warehouse-safety/;, U.S. Bureau of Labor Statistics, Powerpoint Presentation: 2018 Survey of Occupational Injuries & Illnesses Charts Package, 7 Nov 2019, https://www.bls.gov/iif/soii-charts-2018.pdf.

[13] International Labour Organization, *ILO Sectoral Brief: Covid-19 and Food Retail*, rev. June 2020, https://www.ilo.org/wcmsp5/groups/public/--ed_dialogue/---sector/documents/briefingnote/wcms_741342.pdf.



or workers in countries without strong safety and health regulations or a lack of enforcement of existing regulations, or those facing other pandemic-era challenges, organizing since 2020 has been difficult. Nonetheless, many workers and their unions achieved important victories despite persistent challenges.

In Australia, when the pandemic revealed serious issues around health and safety for care and commerce workers, the Australian Services Union (ASU) began educating members about their *right to refuse unsafe work*. This created space for conversations about OSH issues in general and opportunities to encourage more workers to become OSH representatives.

In Hungary, company managers face few repercussions when they do not ensure workplace safety and health. When the pandemic emerged, unions stepped in quickly to press for small changes that made a big difference for workers. For example, Hungarian workers testing positive for the coronavirus received only 65 per cent of their normal wages if they remained at home, creating a clear incentive to go to work while ill or contagious. The wearing of masks became vital to protect coworkers, but workers also needed regular mask breaks for their own health and comfort. The retail workers' union Kereskedelmi Alkalmazottak Szakszervezete (KASZ) fought to get all workers much-needed safe breaks from wearing masks, resulting in a new rule requiring 10-minute breaks every two hours. Another campaign targeting Spar food shops created specially enclosed areas for cashiers so they were not forced to work in cold, windy and rainy conditions.

In the United States, the United Food and Commercial Workers (UFCW) has been on the forefront in protecting and enhancing workers' safety and health during the pandemic. For example, from the outset the union provided members with up-to-date information about health and safety protections and the need to use PPE. The union created a specific internet hub where workers could complete a health and safety survey or submit a health-related complaint. In some cases, the union successfully negotiated "hero" or "hazard" pay that recognized the role that grocery workers played in providing communities with access to food and essential services during the lockdowns.

UFCW dramatically improved safety provisions in bargaining agreements in 2021. UFCW Local 5, which represents grocery workers in northern California, negotiated one of the country's most comprehensive safety agreements with giant grocery retailer Safeway, including provisions for paid breaks to wash hands, adequate supplies of cleaning products in stores, increased staffing for cleaning and restocking, accommodation for employees over age 65 to self-isolate, payments to workers who must self-isolate as a result of a Covid-19 infection and financial assistance for child care costs. 4 UFCW also pressured state governors to classify grocery workers as emergency workers, which made them eligible for free childcare and easier access to PPE.

[14] John Logan, "Grocery Unions Protect Workers and Save Lives," *thehill.com*, 3 Apr 2020, https://thehill.com/blogs/congress-blog/labor/490964-grocery-unions-protect-workers-and-save-lives.

In Canada, every day long-term care (LTC) workers face the risk of exposure to infection as well as long hours and intense physical and emotional demands. Unifor represents care workers, cooks, environmental services workers, housekeepers, physiotherapy and recreation specialists and many others who work in LTC homes in Canada. In 2020, Unifor collaborated with other healthcare unions to pressure the Ministry of Health to improve PPE supplies for those working on the front line in nursing homes and hospitals, a major step forward in protecting vulnerable healthcare workers.15 And in 2021, Unifor Local 8300 won a victory at the bargaining table, signing a new agreement with strong OSH improvements—especially much-needed paid sick leave—for LTC workers at the Hillel Lodge facility in Ottawa.16

In the United Kingdom, Usdaw represents workers in warehouses serving Next, a multinational retailer, and currently the largest online clothing and footwear company in the country. The union's OSH representatives took an innovative approach, working with management to prepare sites for workers to return safely after an initial shutdown in 2020. A packing area that previously held 40 tables back-to-back, with staff working at every table, was reconfigured to include just 14 tables, each enclosed in a two-metre square pod to isolate individual workers.

In Spain, the union federation CCOO del Habitat used mechanisms in its collective bargaining agreements to respond quickly to members' concerns and organize around pandemic-specific actions in 2020 and 2021. The union stood by members at every turn and advised workers on how to do their work from the standpoint of safety and health, both their own and their clients. During the pandemic, caregivers increasingly took advantage of a protocol, negotiated by CCOO pre-Covid, to seek help for mental health issues. The protocol helps CCOO identify unhealthy work environments that may have specific problems, including harassment. The union was able to renew worker engagement during the crisis by connecting with members online, expanding calls to organize around low wages and calling for better access to PPE.



OSH SPURS UNION ORGANIZING AND STRIKES AT AMAZON

International e-commerce behemoth Amazon has been cited for health and safety risks in multiple countries before and during the pandemic. Despite corporate resistance, worker protests and strikes have forced the company to negotiate new OSH standards.¹⁷

In 2021, UNI Global Union released a report, <u>Essentially Irresponsible</u>, about Amazon's brutal working conditions, anti-union activities and the threat the company poses as it expands rapidly to dominate global digital commerce, arguing that:

Just as our world will radically change after the pandemic, so will Amazon. But the question of whether the company's stranglehold on our markets and communities will tighten will be answered by the resistance of regulators, community organizations, labour unions, and anti-monopoly activists.¹⁸

Amazon workers in Spain, Italy and France have appealed to legislators and launched strike actions to demand safety on the job.¹⁹ A French court ordered Amazon to work with unions to address risks and to cease selling anything but essential food, hygiene and health products until safety measures were put in place. Workers themselves demanded enhanced safety in Italy, underlining their demands with several strikes. Spain's FSC-CCOO labour federation asked the government's Labour Inspectorate to review Amazon's OSH responses.

The company was forced to comply in Europe, even as it terminated workers in the United States who spoke out about health and safety concerns in its warehouses and distribution centres. Only the combined power of organized workers, government and civil society can ensure that Amazon will not reshape work and our economies in ways that are dangerous and inhumane for all its workers.

^[17] Liz Alderman and Adam Satariano, "Amazon's Showdown in France Tests Its Ability to Sidestep Labor," *The New York Times*, 14 May 2020, https://www.nytimes.com/2020/05/14/technology/amazon-unions-france-coronavirus.html.

^[18] UNI Global Union, Essentially Irresponsible, 29 July 2020, https://uniglobalunion.org/report/essentially-irresponsible-amazon-and-covid-19

SUCCESSFUL OSH ORGANIZING STRATEGIES IN CARE AND COMMERCE

Workplace safety and health crises have historically sparked successful campaigns to organize and reform specific industries or sectors. Throughout the ongoing Covid-19 pandemic, workers in the care and commerce sectors have seized on unprecedented health and safety lapses and violations to organize with their coworkers, often building union power in the process.

OSH concerns have become a powerful rallying point in a variety of situations across all the countries UNI surveyed. Workers' experiences provide compelling signposts for future efforts beyond the current crisis. Below, we describe cases of effective organizing around safety and health in five categories:

- Collective bargaining,
- ▶ Union pressure on government,
- Collaboration between unions and community organizations,
- OSH committees opening new organizing opportunities, and
- Mental health as a safety and health issue.

A Collective Bargaining: Strong Responses to OSH Crises Build Worker Power

Where workers have a union and a strong collective agreement with OSH provisions, union members have seized on OSH issues to build power in the workplace, not simply by solving issues through dialogue between union representatives and management, but by mobilizing union members to take collective action. In some cases, workers without a union have been inspired to organize in response to health and safety concerns.

United States

Workers in healthcare and commerce in the United States, exhausted and angered by the unrelenting pressure they are under as a result of the pandemic and the lack of employer concern for their physical and mental health, went on strike and pressed for improvements in safety and health provisions through collective bargaining. In the state of Illinois, members of the Service Employees International Union Healthcare Illinois-Indiana (HCII) notified their employers at 70 nursing homes that they would strike if their demands for stricter safety protocols, more PPE and higher pay were not met. Their action paid off in May 2020, as members won an improved contract that ultimately affected 10,000 workers. The contract included \$15-per-hour base pay, three months of pandemic hazard pay, paid time off for Covid-19 infection and illness, and much-improved safety protections.20

In November 2020, 800 care workers in 11 Chicago-area nursing homes went on strike for 12 days before their employer came back to the bargaining table with strong concessions. Their victory included higher pay and higher Covid-19 pandemic pay rates, guaranteed access to PPE and additional Covid-19 paid sick days.²¹ SEIU saw a marked increase in care workers joining the union after these and other dramatic wins.

[20] SEIU HCII, Historic Strike Averted as Nursing Home Workers Win Tentative Agreement Providing For Essential Resources for the Pandemic and Beyond, 7 May 2020, https://seiuhcilin.org/2020/05/historic-strike-averted-as-nursing-home-workers-win-tentative-agreement-providing-for-essential-resources-for-the-pandemic-and-beyond/.

[21] SEIU HCII, Victory! Striking Frontline Workers Win Contract With Significant Gains in Wages, Pandemic Pay, Sick Days, and PPE, 5 Dec 2020, https://seiuhcilin.org/2020/12/victory-striking-frontline-workers-win-contract-with-significant-gains-in-wages-pandemic-pay-sick-days-and-ppe/.

B Unions Pressure Governments

In some countries, actions that began as organizing efforts to protect essential workers during the pandemic expanded to encompass lobbying for legislative change as well as cooperation between unions and elected leaders to improve workplace safety and worker health beyond the current crisis. In November 2021, for example, after months of effort by Swiss trade unions, voters in Switzerland approved a constitutional amendment to improve wages and conditions in the care sector for the long term.²²

Argentina

An initiative in Argentina spearheaded by unions with employers led to an agreement for new Covid-19 protocols to ensure that workers suspended from their jobs due to lockdown closures in April and May 2020 would still earn 75 per cent of their net salaries.

Representatives from government, the chamber of commerce and labour organizations worked together to create a plan for easing lockdown restrictions over time. The labour movement also lobbied the government for better health coverage for workers in all industries and to improve working conditions for those significantly affected by the pandemic.

The Argentine government made several significant decisions, such as promptly declaring Covid-19 an occupational disease. Companies were prohibited from dismissing workers during the emergency, and an Emergency Assistance Programme for Labour and Production (ATP) was implemented, which included assistance provided to companies in order to avoid job losses.

In the care sector, Federación de Asociaciones de Trabajadores de la Sanidad Argentina (FATSA), the Argentine federation of healthcare workers, met with legislators and negotiated guarantees from the government that all healthcare workers in quarantine would continue to earn their full salaries while not working. All healthcare workers received bonuses to reward their efforts during the peak of the pandemic.

FATSA reinforced professional training during the pandemic, in many cases with the support of the ministry of labour, which helped workers better prepare to work with the new protocols and to adopt new biosecurity measures.

Héctor Daer, FATSA Deputy Secretary and President of UNI Americas, praised the collaboration:

The Argentine government had a remarkably positive reaction to our requests. It is essential to guarantee workers' wages because today the fear of loss of income can cause the crisis to worsen.²³

FATSA's efforts during the pandemic were relentless. Activists used digital media and face-to-face meetings to foster closer relationships with all branches throughout the country. In 2021, new shop stewards were elected in the public and private sectors. The union's wage campaign, under the slogan "If there are no wages, there is no health," demonstrated the unity and internal cohesion achieved in two years of intense effort. The whole country rallied behind this slogan, which resulted in a substantial wage increase.

In the commerce sector, in response to lobbying by FAECYS, Argentina's legislature is considering a law to make health and safety committees mandatory in all workplaces. If the legislation passes, workers will have the right to elect or appoint members of internal workplace OSH committees.

Netherlands

We are talking about very simple things: dignity and humanity. We live in a very civilized country, so I don't see the reason we shouldn't succeed.

Marcin, FNV Organizer and migrant worker

In the Netherlands, the federation of Dutch trade unions, FNV, has advocated for the rights of more than 800,000 migrant workers in the commerce sector since 2019. So-called "all-inclusive" agreements with employers around work, transport, housing and insurance force migrant workers to depend on their employers far more than other workers, a situation that has intensified during the pandemic.

Netherlands [cont.]

According to one FNV survey, at the height of the pandemic in 2020, two-thirds of the migrant workers responding had not received their own Dutch health insurance cards, which made access to health care extremely difficult. Many reported guards hired by employment agencies trespassing in workers' homes and imposing ludicrous fines for small infractions.²⁴

Migrant workers have always faced unique OSH challenges, often living and working with too many people in small, confined spaces and forced to work at a fast pace—especially in distribution centres. One FNV organizer described these workers as a new underclass of "hidden people" in a form of "modern slavery." The union is now building a community with a network of support for migrant workers, but lockdowns have made that difficult.

During the pandemic, social distancing has become even more difficult than in the past. And with online orders becoming the norm, already long working hours have only increased. David, a Portuguese worker living in a crowded home with seven others and working in a clothing distribution centre, explained his challenges:

I'm chronically asthmatic. As you may know, coronavirus takes from your lungs, so for people with asthma, it's not easy. ... My work consists of picking clothes and putting them in boxes to send to customers. Before the clothing gets to me it passes by 20 or 30 people. How am I going to be safe? It's almost impossible. 25

With support from FNV, migrant workers told their stories to mayors, local politicians and members of the Dutch and European parliaments, emphasizing the need for greater safety measures at work and separation of "bed and bread." When agencies act as both employer and landlord they have the power not only to sack workers, but also to make them homeless. Separating bed and bread diminishes the agencies' power and provides more security to workers.²⁶

[24] FNV, Tweederde arbeidsmigranten krijgt eigen zorgpas niet van werkgever, 22 Jul 2020, https://www.fnv.nl/nieuwsbericht/ algemeen-nieuws/2020/07/tweederde-arbeidsmigranten-krijgt-eigenzorgpas-ni; FNV, About Our Campaign: Temporary Work Agency or Landlord? https://kwestievanbeschaving.nl/campaign/.

As a result of the FNV campaign, in February 2021 a majority in the Dutch parliament voted in favour of guaranteeing all migrant workers access to separate contracts for rent and employment, giving them rights as renters so they cannot be evicted immediately upon losing a job. However, general elections in March 2021 slowed progress, and the bill has not yet become law.

Sweden

Throughout the world, retail workers were especially hard hit in the early months of the pandemic as many shops shut down quickly and indefinitely. In Sweden, constant changes in scheduling and reduction of hours were huge problems throughout the retail sector, where many people work part-time. National health and safety regulations became valuable tools for OSH representatives and rank-and-file union members to use in protecting workers' interests.

The 45 employees of Zara near Helsingborg, Sweden, belong to Handels, the commercial workers' union. During the first pandemic winter of 2020-2021, managers introduced major schedule changes, increasing the number of days employees worked each week while decreasing the number of hours per day. It became impossible to work extra hours—and in some cases, unprofitable to go to work at all—after considering the cost of transportation.

In an interview, union members Walla Deeno and Mirela Velagic said the company's schedule changes created economic pressures for workers and stress in their private lives. "The whole situation has become a kind of double punishment for Zara employees," said Katarina Norgren, an ombudsman at Handels. With working hours drastically reduced—down to 12-hour weeks for half the store's sales staff—few earned enough to survive.

The company violated Sweden's Work Environment Act by not involving union safety representatives in their decisions and refusing to assess risks to workers. So Deeno took action, writing a report about the negative health and safety effects of the new schedule and requesting action by the Swedish Work Environment Authority. The Authority supported her conclusions and fined the company.

ILO CONVENTION 190

Chile

In Chile, women make up 70 per cent of the retail workforce. Many of them are heads of households and especially vulnerable to crime on their way home from work late at night. For years, they had asked for earlier closing times for retail shops to allow for safer commutes and more time with their families.

In 2020, the union CONATRACOPS, which represents workers in Chile's commerce sector, joined other unions in pressuring the government to ratify ILO Convention 190 (see the text box below), which asserts a safe commute to and from work is a basic right. In addition, CONATRACOPS took the lead in the formation of Alianza de Trabajadores del Comercio (ATCOMER), an alliance of unions launched in August 2020 to demand better protection for members against violence and harassment on the job or during their commute. The alliance includes more than 150 unions.²⁷

During the pandemic, curfews provided a test of early closings nationwide, without significant negative effects for stores or workers. Union members saw a new organizing opportunity. In November 2021, ATCOMER spearheaded new legislation to improve worker safety by closing stores at 7 pm rather than 10 pm. The bill was approved by the Senate Labour Committee and is expected to come to a vote soon. And Chile's new president has already pledged to decrease working hours from 45 to 40 per week.

As **Henry Olivera**, UNI Americas Commerce Regional Director, noted:

This major first step came thanks to the vision and leadership of the Commerce Workers Alliance, as well as the solidarity and collective action of more than 150 trade union organizations. Together, we have put the protection of the commerce workers' health and lives on the national agenda.²⁸

[27] UNI Global Union, *Nace ATCOMER, La Alianza de Trabajadores de Comercio en Chile*, 10 Aug 2021, https://uniglobalunion.org/news/nace-atcomer-la-alianza-de-trabajadores-de-comercio-en-chile/.

[28] UNI Global Union, Chilean Senate Labour Committee Approves Bill for Commerce Worker Safety 29 November 2021 https://uniglobalunion.org/news/chilean-senate-labour-committee-approves-bill-for-commerce-worker-safety/

Without tackling violence and harassment, we will never see true equality for women in the world of work.²⁹

-Rojila Karki Basnet Registered Nurse, Nepal-UNIPHIN5

Workplace violence and harassment occurs in every industry and affects people of every nation and class, but poor and marginalized women are often the most vulnerable because their jobs expose them to abuse and exploitation with no alternative employment or escape. For example, recent studies have shown that in Sweden, at least 28 per cent of women in retail have experienced sexual harassment in the past 12 months and in Hungary, a shocking 80 per cent of retail workers have experienced violent physical attacks by customers.³⁰

The ILO Convention on Violence and Harassment, known as Convention 190, is the first international treaty to recognize the right of everyone in the world to work free from violence and harassment, including gender-based attacks. The Convention, fought for and won by trade unions, was formally adopted by the ILO in 2019 and has been ratified by 11 countries so far.³¹

As violence against workers has soared during the pandemic, adoption of Convention 190 has become more urgent than ever before. UNI Global Union believes access to a workplace free of violence is a human right and strongly supports the adoption of Convention 190 by all nations. Workers must be free to speak out about abuse, and employers must take action and hold perpetrators to account.

[29] UNI Global Union, A Workplace free from violence is a human right, 10 December 2021 https://uniglobalunion.org/news/ratifyc190-a-workplace-free-from-violence-is-a-human-right-2/

[30] UNI Global Union, Unions demand action to end customer violence in stores https://uniglobalunion.org/news/unions-demand-action-to-end-customer-violence-in-stores/

[31] ILO, C190: Violence and Harassment Convention (2019) https://www.ilo.org/dyn/normlex/en/f?p=1000:11300:0::NO:11300:P11300_INSTRUMENT_ID:3999810 https://www.uniglobalunion.org/news/ratifyc190-a-workplace-free-violence-a-human-right

C Unions and Communities Collaborate

Unions that appreciate the intersectional nature of workers' lives and their integral roles in multiple communities also recognize the need to collaborate with other organizations—churches, housing rights groups, environmental advocates, immigrants' rights organizations and others—to improve working conditions. Workers and their wider communities benefit from this cooperation. By strengthening these alliances, unions extend their reach and multiply organizing opportunities.

New Zealand

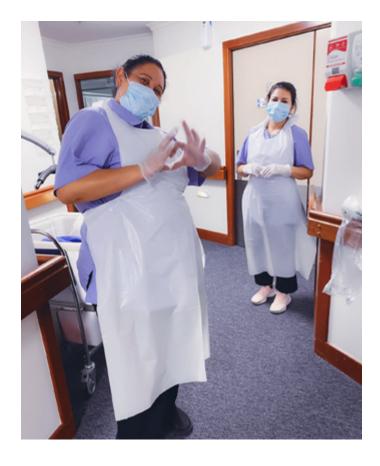
In New Zealand's care sector, collaboration between unions and patient advocates has made care facilities safer for patients and workers alike. Unions built valuable alliances beyond the workplace that brought pressure to bear and changed policies. Early in the Covid-19 crisis, supplies of and access to PPE were limited in many countries, putting workers at risk of infection. In New Zealand, the government initially failed to include home care workers in public health orders designed to ensure that PPE was available to all healthcare workers. Dr. Garth Bennie of the Disability Support Network told the government's Epidemic Response Committee that care workers had been stopped in the streets and questioned by police and confronted at supermarkets when they tried to use priority queues because they were not recognized as essential workers. Many had to purchase their own PPE.32

Without adequate protection, home care workers risked spreading the virus to highly vulnerable clients and their families, and some clients cancelled home care visits to avoid those risks. With fewer client visits, the home care workers lost a significant portion of their pre-pandemic pay. In an added insult, these workers were left out of employment insurance and government programmes put in place for workers who experienced the early impact of the pandemic.

E tū, the home care workers' union in New Zealand, contacted members to gather information about the scope of the problem. Union members connected with elder advocacy groups to strategize about addressing the carers' working conditions because of the obvious connection between carers' health and the health of their patients. The union and these community allies successfully lobbied at the local and national level to change policies, guaranteeing access to PPE for home care workers. Vulnerable clients in need of care felt safer, and they stopped cancelling appointments.

The alliance remained active, and in 2021 won more improvements for care workers, including fully paid travel time and paid sick leave. In the wake of its successes, E tū has become well-known as a leader in the home care industry, which led more workers in care to join the union.

E tū member and activist Tarsh Dixon campaigned for months for better conditions, and has been overjoyed by recent wins. "It's amazing," said Dixon in an interview for the union's news blog. "It feels like real progress and that we're being listened to." She credits union activism with all the progress made in recent years. "Working collectively with a vision is the reason we've got this far."33



[32] Kirsty McCully, "Unite Against COVID-19: Kindness for Community Support Workers?" *In Critical Solidarity*, 19:1, Jul 2020, p. 4, <a href="https://asalabormovements.weebly.com/uploads/6/8/2/8/6828078/in_critical_solidarity_labor_and_labor_movements_section_newsletter_july_2020__2_pdf; and E tū, *Care Workers Deserve Decent Work Too*, https://etu.nz/care-workers-deserve-decent-work-too-careday21/.

[33] E tū, Support Workers Can't Stop Smiling: Budget Funds Properly Paid Breaks and Travel Time, https://etu.nz/support-workers-cant-stop-smiling-budget-funds-properly-paid-breaks-travel-time/.

D OSH Committees and Representatives Use New Organizing Opportunities

In workplaces where OSH committees and/ or elected OSH representatives exist, either because they are legally mandated or enshrined in the union contract, some unions have used them to build power at the shop floor level, agitating rank and file members to win improvements at work. The examples below reveal one key to success is making sure workers understand the role of OSH committees and elect their own representatives, rather than standing by while the company appoints representatives.

United Kingdom

In the UK, Co-op Retail Logistics operates 12 distribution centres that supply Co-op stores across the UK. Workers belong to one of two unions, the <u>Union of Shop, Distributive and Allied Workers</u> (Usdaw) or <u>Unite</u>.

Even before the pandemic, warehouse staff and drivers regularly worked through the night to make sure goods were delivered to stores before they opened each morning. Feedback from members showed that night shift workers had serious health and safety concerns, often revolving around their lack of sleep.

Union representatives from Usdaw brought their concerns to management, and the company agreed to launch a project dedicated to listening to workers, including a "talkback" survey to speak face-to-face with their employees. As a result of this union initiative, managers learned that night shift workers felt forgotten and invisible and were under extreme stress.

In 2018, with the essential cooperation of Usdaw and Unite, Co-op engaged with the Sleep and Circadian Neuroscience Institute at Oxford University to develop solutions for night shift workers. The result of this collaboration was "Night Club," a programme bringing night shift workers and sleep researchers together.

The Night Club mobile unit gave researchers access to all 8,000 Co-op workers, who learned about the risks of shift work and ways of improving their health. Workers known as "sleep champions" were recruited to work with Co-op to make positive changes to working arrangements for sleep health. Management is now negotiating with the unions to change shift patterns and to ensure that all shifts get two consecutive days off

every week. Improvements geared toward better worker health are being made in lighting and food choices, and new employees now must complete a sleep health test.

Michael Ord, one of the Usdaw safety reps on the night shift at the Co-op Newhouse depot in Lanarkshire, Scotland, described dramatic improvements made as a result of the collaboration of workers, community allies and the company:

Staff had the chance to talk to professional sleep specialists and were given advice about the impact of light on sleep, how diet affects sleep and alertness, and how a lack of sleep affects mental health and the natural body clock. It's the little things you've not thought about, like eating regular meals to balance your body, which in the long run means better health and safety and prevents accidents— always good.

Union membership at Co-op stores has grown significantly in 2021, and union leaders believe health and safety efforts have contributed to that growth through better worker engagement.

Andy Baird, a general manager of food operations and logistics said:

Working closely with our Usdaw representatives throughout the global Covid-19 pandemic . . . has helped us to make joint decisions in response to the ever-changing Covid-19 guidelines at each stage of the pandemic. This has given the trade union representatives a strong voice within the depot when it comes to our health and safety culture.

Mike Ball, a safety and security manager, concluded that:

Covid has shown that by working together and simply focusing on a common problem, we can, by using all of our own personal experience and knowledge, deliver a safer and more practical solution to whatever was thrown at us... We see the ways of working demonstrated over the last 18 months by our safety managers and reps has been a real positive step, and we aim to build on this as part of our strategy going forward.



Peru

Legislation passed in 2011 in Peru declared that workers could elect their own representatives to OSH committees. Starting in 2016, the Sindicato de Trabajadores de Hipermercados Tottus Peru (SINATHIT) developed campaigns to educate workers at Tottus hypermarkets about their right to choose their own representatives. As a result the OSH committee for Tottus now has four union members, despite attempts by the company to control elections and install members friendly to employer interests.

The union increased its organizing activity and invested in new training for workers around OSH issues. At one Tottus location, workers had no protective equipment, machinery was often in disrepair and conditions were deplorable. Similar situations existed across the country. Worker representatives used WhatsApp groups to share real-time knowledge of problems and discuss solutions, opening powerful new ways to mobilize workers. UNI supported health and safety education for the workers with training materials and workshops. SINATHIT worked with OSH representatives on prevention of injury and illness, and the number of accidents dropped dramatically.

All the training and preparation paid off in 2020, when young union representatives took dramatic action to force the company to move forward in bargaining a new contract after negotiations seemed permanently stalled. The union organized sit-ins at Tottus stores across the country, with workers, their families and even some customers joining the actions. In December 2020, 496 of 500 union members voted for an indefinite strike, which pushed the company to make concessions at the bargaining table. In the end, workers gained a 4.5 per cent wage increase in the first year and an additional 4.5 per cent increase in the second year of the new contract, and the union emerged much stronger as a result of members' solidarity and determination.34

Nepal

In hospitals in Nepal, OSH committees have become critical in organizing healthcare workers. Frustrated by the fact that an OSH law passed by the government in 2016 had never been fully implemented, the healthcare workers union, UniPHIN, began training workers about health and safety in 2021. UniPHIN leaders discussed the role of OSH committees and helped workers establish them at every workplace.

In April 2021, organizing in Nepal's health sector took a stride forward with the successful completion of the UNIPHIN-FES Nepal joint workshop, "Training for Trade Union Leaders focusing on National and International Trade Union Practice/Movements." The workshop drew 25 participants from 12 medical colleges and teaching hospitals in Nepal. Facilitated by local experts and veteran union leaders, the workshop taught participants about the trade union movement and best practises at the national and international level.³⁵

The workshop led to the formation of a national alliance of unions in private medical and dental colleges. The goal of the alliance is to foster joint efforts to organize workers and improve dialogue between the medical colleges' management and the unions.

UNI Apro Regional Secretary **Rajendra Acharya** said:

The workshop and the alliance could not have arrived in a timelier manner, given that Covid cases have seen a resurgence in Nepal barely a week after the workshop. I hope the alliance could draw on its newfound connection and work together in pushing for safe working conditions under this new wave of cases.³⁶

[34] Carlos Mejia, "Tottus Workers Achieve Fair Increase in the Midst of a Pandemic," *Wayka.pe*, 7 Jan 2021, https://wayka.pe/trabajadores-tottus-aumento-salario/.

[35] UNI Global Union, Nepal paving way forward to organising in the health sector 29 April 2021 https://uniglobalunion.org/news/nepal-paving-the-way-forward-to-organising-health-sector

[36] UNI Global Union, Nepal paving way forward to organising in the health sector 29 April 2021 https://uniglobalunion.org/news/nepal-paving-the-way-forward-to-organising-health-sector

Nepal [cont.]

When PPE was scarce early in the pandemic, UniPHIN members were able to procure and distribute much-needed supplies to keep workers safe. The distribution of PPE and the health and safety training have created new opportunities for recruiting members, and UniPHIN has been able to establish its own new OSH committees at some work sites.

Pratima Bhatta, UniPHIN treasurer and organizer, expressed her pride in the progress made so far, "During Covid we care workers are the ones taking care of the world, and our union, UniPHIN, was taking care of us. Solidarity to all health workers!"

E Mental Health Becomes an OSH Issue

Workers often face serious mental health challenges as a result of dealing with physical and emotional stresses, difficult schedules and, at times, abuse from clients, customers and managers. During the pandemic, many workers reported a sense of constant psychological pressure at work and at home, with little support from management in dealing with anxiety, grief and fear on the job.

In Argentina, where Covid-19 has been recognized as an occupational disease, the FATSA healthcare workers' union responded to the unprecedented challenges of 2020 by establishing crisis committees, mirroring the structure of existing OSH committees, to support workers with mental health issues. Workers now may ask for support from the committee members themselves or for help in finding outside counselling from trained therapists and psychologists.³⁷

By gaining a deeper understanding of mental health issues common to a group of workers and offering support, the union organizers created trust and empathy, which meant workers were more likely to see their union as a strong advocate and a path to mutual support.

Switzerland

Care home workers in Switzerland are represented by Unia, the largest trade union in the country. In 2019, Unia launched an online survey to gather details about care home workers' schedules and to analyse the scope of their problems.

Care workers are often scheduled to work in the early morning and late afternoon or evening hours to help clients dress, eat and bathe. This scheduling leaves workers with an unpaid gap of up to six hours between paid shifts. This substantial gap makes it impossible for workers to find additional work to fill those hours and often leaves them unable to balance work and personal life as their primary working hours conflict with peak times of family responsibility.

Unia's schedule data and survey results revealed the impact harsh schedules had on workers' mental and physical health. Ongoing surveys in 2020 revealed workers' concerns about lack of PPE and the level of protection from the coronavirus. Unia organizers used the information gathered by talking with workers to build trust and spur more organizing.

As **Samuel Burri**, head of long-term care at Unia in Switzerland, explained:

With our survey results and findings, we have shown that concrete improvements are needed at the workplace level. These can only be achieved through union organizing. This work enabled us to collectivize concerns at the workplace level as well, increasing the level of union density in several workplaces and achieving concrete results and improvements.

CONCLUSION: WORKERS ARE BUILDING POWER BY DEMANDING SAFER WORKPLACES

The tragedy of the pandemic opened new opportunities to organize around OSH at a moment when the public was watching care and commerce workers' struggles more closely than ever before. As their predecessors did after the devastating Rana Plaza building collapse in Bangladesh and the Westlaw mining tragedy in Canada, workers responded to the safety and health crisis by organizing for permanent changes and greater power in the workplace.

In preparing this report, we discovered a range of creative ways that UNI Global Union affiliates wielded OSH strategically, forcing employers and elected representatives to take action. Workers' achievements in this brief period must be transformed into long-term commitments to improve working conditions. Below, we review some of these achievements, which fall into four broad categories: collective bargaining and union organizing, labour legislation and enforcement, community collaboration, and attention to mental health.

Collective Bargaining and Union Organizing

Responding to Covid-19 safety and health challenges and building worker power through collective bargaining, workers in care and commerce examined the language around OSH in their collective bargaining agreements. They assessed whether OSH commitments in contracts were being met or ignored. UNI Global Union researchers studied safety and health regulations around the world to understand the specific role unions play in implementing national standards. Often, when OSH standards existed they were not enforced in the care and commerce sectors because those workplaces were not previously considered "dangerous."

In workplaces where workers elected their own representatives to OSH committees, union representatives investigated committee responsibilities and expanded participation opportunities. In workplaces where workers did not elect their own representatives or lacked a strong voice in the structure of OSH committees, organizers used this challenge as a rallying point in bargaining. Workers also pressed for paid time off for OSH training and worker participation in OSH investigations, advocating for maximum sharing of information.

2 Labour Legislation and Enforcement

The pandemic prompted examinations of national legislation relating to workers' health and safety across the globe. Workers in care and commerce urged legislators to ratify ILO Convention 190, to make the right to refuse unsafe workplace conditions national law and to institute OSH training mandates. Workers also sought legal guarantees of paid time off for safety and health training and OSH committee work.



Coalition-building became one of the most powerful strategies for care and commerce workers as the pandemic transformed the world at work and at home. Unions built alliances with nonprofits, consumers and clients that helped amplify workers' voices in the media and influence employers' actions. The alliances were local, regional, national and international.

Many unions were able to find leverage points based on company policies and public relations language around Covid-19 safety and health that brought new allies to the workers' side. For example, where nursing homes declared that "safety and health come first" in all policies, while still exposing workers and patients to enormous risks, patients' advocates became powerful worker allies.



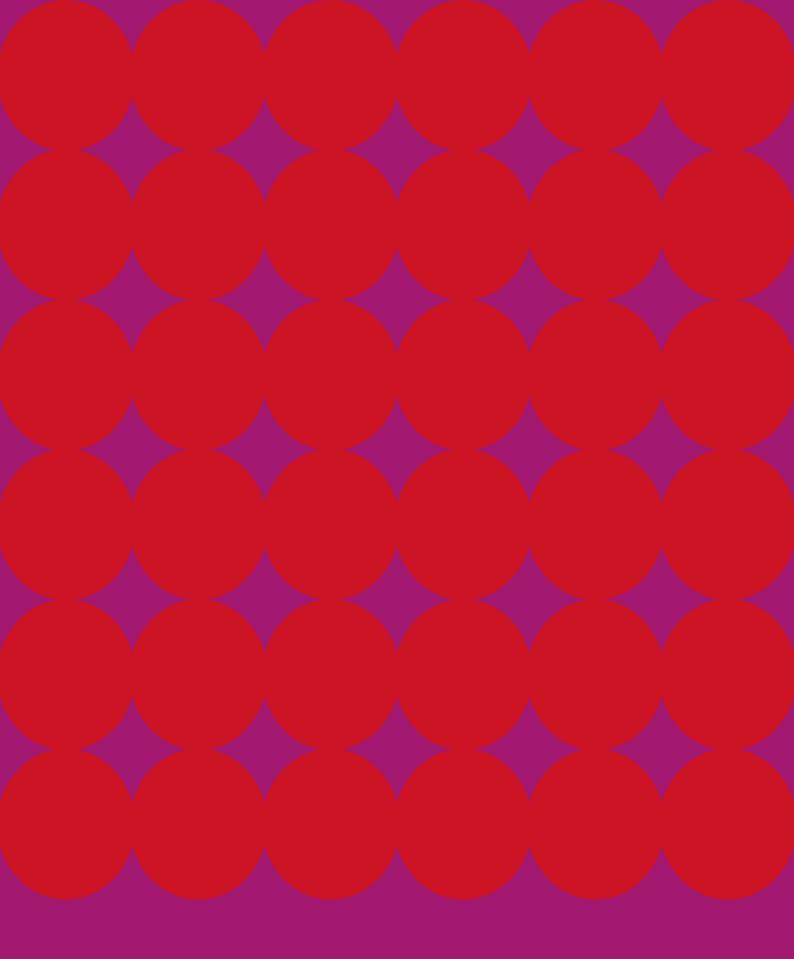
In collective bargaining, lobbying of local and national government, and public discussions workers developed a broader definition of safety and health than was common before the pandemic. Safety protocols no longer referred only to equipment and procedures that limited contagious diseases, but also addressed worker burnout, gender-based violence and harassment, depression and anxiety.

Union organizers talked to workers about the challenges of emotional stress and the responses they wanted from management, building trust and mutual support. Efforts to understand the daily struggles of workers informed and enhanced organizing conversations. Unions insisted that procedures be put in place for reporting workplace violence, intimidation and gender-based abuse, and some created worker surveys or crisis committees specifically to address the mental health challenges of living with Covid-19 and its larger consequences.

The pandemic-era labour movement has demonstrated how deeply invested workers are in making their workplaces safer and healthier for the long term. As technologies transform work, new OSH concerns have emerged. We have seen unions across the globe responding quickly and organizing around these transformations.

In the commerce sector, where workers have remained on the front lines of the pandemic every day, the dramatic expansion of e-commerce and warehouse work created new hazards that must be included in collective bargaining discussions from this point forward. In the care sector, the physical dangers and mental stress of the pandemic have persisted over time and demonstrate the need for the collective power of unions to keep all essential workers, their families and communities safe.

Workers in care and commerce were in the vanguard of new approaches to safety and health in 2020 and 2021, and that remains true in 2022. We expect unions' innovative OSH efforts to inform new legislation and regulations around OSH going forward. As part of this evolution in workers' safety and health, UNI Global Union strongly supports recognition of OSH as a fundamental right that must be protected. UNI will continue to advocate with affiliates to demand that national governments, NGOs and employers implement more worker-centred policies to ensure a better and safer post-pandemic world.





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This report was supported by the Open Society Foundations.