

**Hazards  
Campaign**



**AUTUMN NEWS 2008**

# Working Hours

## UK bosses retain right to hours limit opt-out

British employers have retained the right to ask employees to work more than 48 hours a week following EU talks in Luxembourg. Under the EU's working time directive, workers in most countries have a maximum working week of 48 hours. However a clause in the directive means member states can choose to allow employees to work a longer week.

The government's business secretary, John Hutton, said: "Flexibility has been critical to our ability to create an extra 3m jobs over the past decade. That flexibility has been preserved by ensuring workers can continue to have choice over their working hours in future years."

He added: "Securing the right for people to work longer if they choose to do so is hugely valuable to the British economy. Workers who opt out will be subject to a ceiling of 60 hours, averaged out over three months so they can work longer hours in busy periods."

Employees have to formally agree to opt out of the 48-hour week, but unions have in the past expressed concerns that unscrupulous employers could abuse the opt-out.

According to the TUC, the number of British workers exceeding the 48-hour week has risen over the past year to reach 3.3 million.

General secretary, Brendan Barber, said: "Employees across the UK already work the longest hours in western Europe and the recent increase will mean lower productivity, more stress and less time to have a life outside the office with friends and family."

Speaking before the talks began, the general secretary of the European Trade Union Confederation, John Monks, said the organisation opposed the UK's "continuing determination" to keep the working time opt-out.

The talks also covered rights for agency workers. Under new rules, Britain's 1.3 million agency workers will be entitled to the same pay and conditions as permanent staff after being employed for 12 weeks.

Hutton said: "The agreement on agency working will give a fair deal for agency workers and prevent unfair undercutting of permanent staff while retaining important flexibility for businesses to hire staff for short-term seasonal contracts or key busy times."

The CBI and TUC signed a joint declaration in May agreeing to a 12-week qualifying period for temporary staff workers to receive equal treatment. The Federation of Small Businesses welcomed the continued opt-out from the maximum 48-hour week, but condemned the agency workers' agreement which it said would cause "untold damage" to firms' ability to expand.

### ***IN THIS ISSUE***

- 1 WORKING HOURS**
- 2 STRESS – THE ESSENTIAL GUIDE**
- 3 CONVENOR AND DIARY DATES**
- 3-6 STRESS BITS**

## Book Review

### *Stress, the Essential Guide*

Frances Ive,  
Publisher:- Need2Know Books,  
[www.need2knowbooks.co.uk](http://www.need2knowbooks.co.uk)  
ISBN:- 978-1-86144-054-9  
Publication Date:- September 2008  
Price:- £8.99

The modern western world is afflicted by a new epidemic of far-reaching proportions. There is a new-world illness that has become the modern basis of litigation against employers.

Is the fact that over 13million working days are lost to UK plc, something that cannot be ignored? Is the psychological profile of the nation being overtaken by increasing numbers of workers on long-term sickness absence leading to extended incapacity benefit payouts?

Stress, and its associated illnesses, frequently leading to premature death and even to suicide, has become the modern ailment that seemingly affects many of us, but in so many different ways and with many different side effects.

There is an acceptable level of pressure that helps us succeed. Normal everyday pressure in our work, family and personal lives is fine. When it can be controlled, recognised and bring a tangible reward, again it is all right. However when those pressures become relentless, incessant, unrewarded and uncontrollable, then they can cause very serious, often terminal damage.

There is however no such thing as acceptable or even 'positive' stress.

Personal well being both at home and in the workplace is essential to survival and to happy living. We have a role to play in this process ourselves, but employers are also charged with their duty of care towards the workforce.

There is a whole industry developing frequently out of the direct experiences of individuals, who have become victims of stress-related illness themselves. They have direct knowledge and experience of workplace-created ill health including bullying by over-zealous managers, who in turn fail to recognise their own shortcomings and inadequacies in personnel management.

Alongside the consultants and practitioners, many authors have created useful guides to the whole concept of recognising and addressing stress and specifically through coping strategies.

This handy little volume, "Stress - the essential guide", from Frances Ive, is a useful compendium of self-help and other strategies. It is easy to read and is well presented, carrying

short highlights and summaries to each chapter. Key points are easy to reference.

Its many recommendations are well recognised as effective ways of coping with excessive pressure. Understanding of the causes, symptoms and effects of stress is crucial, and often the most difficult challenge. However once the problem has been taken on board then action can be taken to deal with the problem.

Essentially, prevention is the key to success. Taking action to identify the issues and then setting in place appropriate control measures must always come first. A workplace that has variable production together extensive sickness absence is in itself a sick workplace. That workplace must be put back on track in order to help the sick workers.

Supportive coping strategies form a sound platform of help through which things can be put back in order. Sufferers need support and assistance back into work, particularly following extended sickness absence.

Above all the most essential element is the creation of a caring supportive culture in the workplace that recognises the need for dignity at work for all, be it in respect of personal or work-based issues.

Employers are duty bound to provide a healthy workplace and working practices that are fit for purpose. Everyone throughout any business hierarchy must acknowledge and implement their statutory duty of care towards employees. Legal precedent also obliges them to acknowledge that duty, but also to implement a risk assessment-based approach to making work and working conditions acceptable to all.

The added provision of support and coping strategies as outlined in the book is both useful and commendable, as long as they are not seen as the only response to the problem.

The author has a recognised track record in health journalism, and her recommendations are welcome as part of the battle against stress in the workplace.

Ian Draper, Convenor August 2008.

**Have you booked your place at our Bullying in the workplace Conference on November 15/16<sup>th</sup>?**

**Early bird reduced delegate fees until 30<sup>th</sup> September '08.**

**Download the [booking form](#) at our [website](#)**

## Convenor's Report

**Ian Draper (Network Convenor)**



Well, what should have been the summer is passing into the memory and the records. It is interesting how the weather plays such an important part in our lives, our well-being, our psyche and relationships. Lack of sunny weather plays its part in raising stress, anxiety and depression levels.

Recent research has confirmed that 58% of the working population find that Summer Seasonal Affective Disorder [SAD] affects work motivation. Some 8% are more likely to call in sick under these conditions. And 20% admit to window gazing in search of the sunshine!

The worries for many in vulnerable locations of flooding and storm damage can only add to their already possible low morale. If as is the case in some areas, people still have not fully recovered from the ravages of last year's storms and floods, then further added misery will create yet more depression, which of course is taken to work in the form of worries. This in turn may make us less competent in our work, and possibly lead to even higher stress levels.

Whilst employers clearly are in no way to be held responsible for climate change and excessive weather, they can and should take account of how it can affect their workforce.

A good employer will recognise that some flexibility of approach is needed, and that they will need to acknowledge people's needs.

*Ian Draper, September 08*

### Diary Dates

#### **Stress Network Conference 2008**

November 15<sup>th</sup> & 16<sup>th</sup>, Hillscourt Conference centre

#### **Steering Group Meetings**

February 6<sup>th</sup> 09, 4<sup>th</sup> April 09,  
4<sup>th</sup> July 09, 5<sup>th</sup> Sept 09

#### **Stress Network Conference 2009**

November 21<sup>st</sup>/22<sup>nd</sup> 09 weekend

#### **Hazards Campaign meeting**

September 18th 08, Manchester Hazards Centre  
12.30 p.m.

#### **HAZARDS CONFERENCE 2009**

Weekend of July 10<sup>th</sup>/12<sup>th</sup> 2009, Manchester University

[Download Conference booking form](#)

## Overtime working is linked to Depression, Anxiety & Stress

Following our page 1 story about UK Government's insistence that it break the 48-hour working week limits, we are reminded that excessive hours and high work pressure/demand is one of the highest causes of illness related to working conditions.

Working overtime is associated with higher anxiety and depression scores among both men and women, particularly among workers on lower incomes and less-skilled workers, is revealed by Elisabeth Kleppa from the University of Bergen in Norway.

A European Union directive entitled employees to refuse to work more than 48 hours a week. Previous research had shown overtime and long working hours lead to fatigue and stress, which raise the risk of illness, accident and injury.

Even moderate overtime hours appear to raise the risk of "mental distress," Kleppa wrote in the study. It could be that working overtime leads to increased "wear and tear," or that people with a predisposition to anxiety and depression, such as low education and job skills, are more likely to take jobs requiring long work hours it was revealed.

Symptoms of anxiety and depression were assessed in a larger study of Norwegian men and women, using a standard questionnaire. Researchers compared anxiety and depression scores for 1,350 employees who worked 41 to 100 hours per week and about 9,000 workers who worked 40 hours or less.

The rate of questionnaire scores indicating possible depression rose to 13 percent for those who worked overtime from about 9 percent for men with normal work hours. For women, the rate of possible depression increased to 11 from 7 percent. The link between overtime and anxiety and depression was strongest among men who worked as many as 100 hours per week. Men working such hours also had higher rates of heavy manual labour and shift work, and lower levels of work skills and education.

### Network Comment

We have long pushed the view that here in the UK with the excessive hours culture, it is not surprising that stress-related illnesses and costs to the UK economy continue to rise. Enough research exists to confirm this view. It is time that Government took a real stance with CBI and pressed for its acknowledgement of the need to consider workers' health and well-being.

## NHS 24 to report on staff absence

The number of calls taken by NHS 24 broke the 1.5 million mark last year. Bosses at NHS 24 have been ordered to provide a progress report by November on efforts to cut staff sickness absence levels.

Health Secretary Nicola Sturgeon, who chaired the annual review meeting of the health telephone advice service on Tuesday, set the deadline. In December, bosses were told to come up with plans for cutting sickness absence levels to 6% by next March. Lib Dem health spokesman Ross Finnie called for a review of 24-hour care.

New figures showed that sickness absence levels were running at levels of between 7.88% and 8.59% over the past year. But recent monthly levels have shown an improvement, with figures of 6.12% in May and 5.97% in June.

NHS 24 chairman Allan Watson told the meeting: "Although this does represent good progress against the 6% target, we do recognise there will be seasonal variation and continuing challenges if we are to be able to sustain this improvement." He said 90% of the Help-line's services were delivered in the out-of-hours period, with the "inevitable" anti-social working that this entailed.

### 'Entirely unacceptable'

Ms Sturgeon said: "We will be looking for a report by November this year on how you are performing against projections and your confidence in meeting the target."

Mr Finnie said the absence rate at NHS 24 was the highest of any health board and was "entirely unacceptable". He added: "Despite being given an easier target than other health boards to cut staff sickness, NHS 24 failed to achieve it. "It is simply not good enough for the health secretary to order a progress report into NHS 24's efforts to cut staff sickness.

"It is time for a review of the provision of 24-hour care in Scotland and it should begin urgently." The annual review heard that 90% of urgent calls got a response within 20 minutes.

## Japanese man, 45, died of overwork

TOKYO - A Japanese labour bureau has ruled that one of Toyota's top car engineers died from working too many hours, the latest in a string of such findings in a nation where extraordinarily long hours for some employees has long been the norm.

The man who died was aged 45 and had been under severe pressure as the lead engineer in developing a hybrid version of Toyota's Camry line, said Mikio Mizuno, the lawyer representing his wife. The man's identity is being withheld at the request of his family, who continue to live in Toyota City where the company is based.

In the two months up to his death, the man averaged more than 80 hours of overtime per month, according to Mizuno. He regularly worked nights and weekends, was frequently sent abroad and was grappling with shipping a model for the pivotal North American International Auto Show in Detroit when he died of ischaemic heart disease in January 2006. The man's daughter found his body at their home the day before he was to leave for the United States.

The ruling was handed down June 30 and will allow his family to collect benefits from his work insurance, Mizuno said.

An officer at the Aichi Labour Bureau on Wednesday confirmed the ruling, but declined to comment on the record. In a statement, Toyota Motor Corp. offered its condolences and said it would work to improve monitoring of the health of its workers.

There is an effort in Japan to cut down on deaths from overwork, known as "karoshi." Such deaths have steadily increased since the Health Ministry first recognized the phenomenon in 1987.

Last year, a court in central Japan ordered the government to pay compensation to Hiroko Uchino, the wife of a Toyota employee who collapsed at work and died at age 30 in 2002. She took the case to court after her application to the local labour bureau for compensation was rejected.

## Teacher dismissed over hard work

A Lincolnshire head teacher has been ordered to leave her school - because she was working too hard. Vanessa Aldridge, 60, head at Marshchapel Primary School near Louth, was told she could return to work after a layoff if she undertook light duties.

But Ms Aldridge, who had worked at the school for 18 years and was due to retire next week, was told to leave the premises by governors.

### Duty of care

The school has just over 30 pupils and only one other full time member of staff. Spokesperson from Lincolnshire County Council's children's services said: "In this case, there were concerns

about the health of the head teacher which were addressed in good faith.

"The head teacher, Mrs Aldridge, has taught at Marshchapel Primary School for 18 years and has given valuable service leading the school as head teacher. This authority is anxious to ensure that it fulfils its duty of care and will continue to work with the board of governors to resolve this case."

**Network Comment** – it is often the case that people do far more than is required and are unaware of the physical and psychological dangers they create for themselves. Many in Public Sector employment feel that they are under extensive pressure to perform and to meet targets. The same is also often true in the highly competitive areas of the private sector and so serious illness and often premature deaths are not uncommon. We should ALL read the signals and especially be self-aware. Our employers should also be aware and exercise their duty of care, by saying NO to excessive hours and demand.

## Unite the Union exposes the cost of workplace bullying

The world's biggest anti-bullying project has revealed that employers' failure to tackle the root causes of bullying in the workplace is costing the UK economy £13.75 billion a year.

The project also reveals that Black, Minority and Ethnic (BME) workers are more likely to be targets of workplace bullying and harassment than other workers and are less likely to have a support network to help them through the experience. The report 'BME Employee Experiences of Workplace Bullying' is calling for better monitoring on anti-bullying activities, including a focus on the experiences of BME workers and the building of BME support structures involving colleagues, managers, and unions.

Cath Speight, Unite acting head of equalities said: "It is shocking that Black and Minority Ethnic workers are more likely to be targets of workplace bullying. Employers need to recognize that there are specific issues concerning BME employees and take action to stop this group of workers from being bullied."

The report's main author, Dr Sabir Giga from the University of Bradford said: "Bullying is impacting on Black Minority Ethnic workers' job satisfaction, promotion opportunities and health. We are calling on employers to develop a zero tolerance to bullying so that all workers are treated with dignity and respect."

The report '[The Costs of Workplace Bullying](#)' estimates that in 2007 33.5m jobs were lost by UK organisations due to bullying related absenteeism, almost 200,000 employees would have left their jobs and the equivalent of 100m days productivity were lost as a result of bullying.

Cath Speight, Unite acting head of equalities said: Employers can no longer be in any doubt about the business case for tackling bullying. As well as the devastating impact on individuals, bullying has a negative impact on productivity as workers who suffer from bullying and those who witness it, experience low morale and are more likely to take time off or leave their jobs."

The **Dignity at Work** partnership project has also published its 'Action Pack' that offers solutions to employers and union representatives in tackling bullying. The Dignity at

Work recommends that organisations adopt a zero tolerance approach to bullying and wants employers to work with trade unions to eradicate bullying. The project advocates a partnership approach when dealing with bullying.

**Baroness Ann Gibson**, Chair of the Dignity at Work Project said: "As a society we are paying too high a price for bullying. Workers that experience bullying are more likely to go off sick or leave and colleagues who witness bullying are also less likely to stick around. Employers that ignore bullying do so at huge costs."

## Tackling stress in the workplace brings rewards

Work-related stress is a major cause of occupational ill health and businesses that do not tackle this serious health and safety issue are likely to see a high level of sickness absence and staff turnover and a poor performance level.

The cost to local businesses should not be underestimated - research carried out in this area suggests that work-related stress accounts for more than one third of all new incidences of ill health and that each such case of stress, depression or anxiety leads to an average loss of 30.2 working days.

This is why the Health and Safety Executive (HSE) has been promoting - initially to major employers - its [Managements Standards for Work-related Stress](#) over the last two years, through workshops, training events and company visits. One of the regional employers that has benefited from this HSE support is Swindon Primary Care Trust (PCT), which attended two of the initial training events organised by HSE's 'stress' team.

As a result of implementing these Management Standards, Swindon PCT won the 2008 runner-up award in the 'Best management practice in tackling workplace stress' category of Healthcare People Management Association's annual awards.

Swindon PCT's 'Stress-less stress' initiative involved trialling the Management Standards on a few key areas and establishing a robust, accessible and comprehensible policy, backed up by training. By basing this policy on HSE's Management Standards, the PCT was able to fast-track its implementation and, as a result, the number of new stress-related absences has declined already and a decrease in the number of referrals to occupational health is anticipated in the near future.

The benefits to employers of tackling stress in the workplace are not only in terms of improving staff commitment, performance, productivity, recruitment and retention, but also have a legal 'pay off'. Employers have duties under Health and Safety legislation to assess the risk of stress-related ill health arising from work activities and to take measures to control such risk. Carrying out a proper risk assessment for stress could enable a company or organisation to avoid prosecution and litigation.

HSE hope to offer further stress-related events and workshops. Information on these and on the Management Standards and practical inspection tools outlined above is available from HSE's website: <http://www.hse.gov.uk>.

Stress Topic Inspection Pack - includes the Inspection Tool

<http://www.hse.gov.uk/foi/internalops/fod/inspect/stress.pdf>

Stress Homepage - be aware that this is being revised and will be relaunched in the Autumn  
<http://www.hse.gov.uk/stress>

Stress News page - where any future events/workshops will be publicised

<http://www.hse.gov.uk/stress/news.htm>

## Employment advisers overwhelmed by cases of mistreatment at work

Hard pressed employment advisers are struggling to meet the needs of the UK's most vulnerable workers, a new TUC report reveals today (Saturday). Employment advisers receive daily reports of mistreatment from workers across low paid and female dominated sectors of the economy - such as care, catering and cleaning - but often feel they do not have the necessary resources to challenge this exploitation.

Recent research highlights the extent of the problems that vulnerable workers face:

- 79 per cent of advisers receive reports of unfair dismissal weekly or more frequently;
- 67 per cent of advisers receive reports of problems with pay weekly or more frequently;
- 60 per cent deal with problems with working time/contractual rights weekly or more frequently.

These problems are concentrated in low paid sectors where most jobs are held by women. Advisers told the researchers that workers experiencing problems were most likely to work in private care homes, hotels and restaurants, hairdressing and beauty, wholesale and retail, or for cleaning companies.

With respect to problems with pay:

- 86 per cent of advisers had supported workers from private care homes;
- 79 per cent had supported workers employed by cleaning companies; and
- 72 per cent had supported workers employed in hotels and restaurants.

For each of the main problems that workers experienced, more than 50 per cent of advisers said that they often came across employers who were 'repeat offenders'.

The research shows that a large number of workplace grievances are experienced by workers on permanent contracts, but also demonstrates that agency workers were disproportionately likely to experience workplace problems - 62 per cent of CABx and 81 per cent of Law Centres saw temps on a frequent basis.

The majority of respondents also felt their organisation needed more funding and resources necessary to meet demand for advice; 70 per cent of CAB and 80 per cent of Law Centre advisers felt they had too few advisers to deal with the number of enquiries they received about mistreatment at work. Advisers also reported spending more and more time fund seeking so time available for advocacy work was decreasing.

TUC General Secretary Brendan Barber said: 'The study gives us a picture of vulnerable work through the lens of the two national agencies which provide free employment-rights advice and support to those without union representation. It is not a pretty picture.

**Download Bullying Conference  
[booking form](#)**