

**Health
& Safety**

Too Cold for Comfort

An Usdaw Guide to
Working in the Cold



Usdaw



Low temperatures at work

Queries about cold workplaces are the commonest enquiries to the Usdaw Health and Safety team in winter months.

Most come from members working in shops – especially those working at checkouts or at kiosks who are not as mobile as colleagues in other parts of the store.

This guide explains the legal duty on employers to maintain a reasonable temperature in INDOOR workplaces. Some members will not be covered but still need protection.

Outdoor work

Members who work outdoors include trolley collectors, backdoor staff and delivery drivers.

Staff working outside should be provided with protective clothing and footwear to protect them from the elements as well as having access to facilities such as hot drinks, warm indoor rest areas and somewhere to dry and store wet clothing.

Work in cold rooms

People working inside freezers and chillers should have suitable protective clothing (providing several layers is best so that workers can adjust the level of protection to the work) and access to warm, dry accommodation for warm drinks and rest. For work in freezers, it may be necessary to limit the time spent inside and to provide recovery periods.



What the Regulations say

The Workplace (Health, Safety & Welfare) Regulations 1992 (WHSW) (Regulation 7) (1 & 3) state:

(1) During working hours, the temperature in all workplaces inside buildings **shall** be reasonable.

(3) A sufficient number of thermometers **shall** be provided to enable persons at work to determine the temperature in any workplace inside a building.

The Approved Code of Practice (ACoP) to the Regulation says:

- The temperature in a workplace should normally be at least 16°C. If work involves rigorous physical effort, the temperature should be at least 13°C.
- If a reasonably comfortable temperature cannot be achieved throughout a workroom, local heating or cooling (as appropriate) should be provided.
- Temporary heating/cooling and other control measures listed in the ACoP should be provided where appropriate for employees required to work in normally unoccupied rooms such as storerooms, other than for short periods and where there is a risk of working in temperatures below 13 to 16°C.
- Thermometers should be available at suitable locations in every part of the workplace to allow people to measure temperatures, but do not need to be provided in each workroom.
- Suitable protective clothing and rest facilities should be provided in instances where local heating or cooling fails to give reasonable comfort. Where practical, there should be systems of work (eg task rotation) to ensure the amount of time individual workers are exposed to uncomfortable temperatures is limited.

To download/view the PDF of the ACoP visit the HSE's website:
<http://www.hse.gov.uk/pubns/priced/l24.pdf>

What can be done?

The duty is to provide a reasonable temperature. That means making sure that heating equipment works and buildings are designed to keep the cold out. Doors should be designed to keep out cold air and draughts. Automatic doors and heating systems should be regularly maintained.

Employers have a duty to maintain workplace equipment under Regulation 5 of the Provision and Use of Work Equipment Regulations.

When the temperature does get uncomfortably low at work the first thing that management should do is to try to restore a reasonable temperature – above the minimum standards in the Regulations.

In the interim management can help alleviate the problems by doing some or all of the following:

- Provide temporary/portable heating.
- Arrange extra breaks for people to get hot drinks or to let them warm up.
- Rotate work to enable staff to work in warmer areas of the workplace.
- Allow anyone with particular health concerns to leave the workplace, either to move to another area which does have a reasonable temperature or to go home.
- Provide suitable warm clothing such as gloves, hats, fleeces, thermal socks and so on.
- Relax dress code requirements where appropriate.



What can you do?

- In the first instance report any issues with low temperatures to your line manager and give them time to try to sort out the problem.

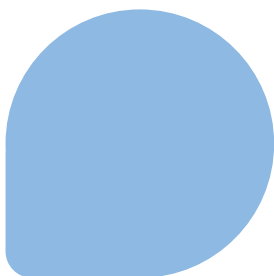
A good manager will listen to complaints and act on them.

- If management do not respond to your concerns then raise the issue with your Usdaw rep. If your rep needs to, they can raise it as a health and safety grievance and enlist the support of the Usdaw Area Organiser (AO).
- Under the law, there must be enough thermometers available for you to be able to measure the temperature where you work.
- Gather evidence of the low temperatures by measuring the temperature at regular intervals in all the areas where people work.
- There should be a minimum of 16°C in all areas.
- Watch out for cold spots such as checkouts and customer service desks by doors.
- As a last resort the AO may call in the enforcement authorities (Health and Safety Executive for factories, Environmental Health Officers for offices or shops).

Some retailers have been successfully prosecuted for breaching the regulations.

Low temperatures at work can make life a misery and can damage your health. They can be controlled more effectively where the Union is recognised and organised.

If you want better health and safety conditions where you work, make sure you're in Usdaw.



Contacts

Wherever you work, an Usdaw Area Organiser is not far away. For further information or assistance contact an Area Organiser at the Usdaw office nearest to you.

South Wales and Western

Cardiff – 029 2073 1131
Bristol – 0117 931 9730
Plymouth – 01752 765930

Eastern

Waltham Cross – 01992 709280
Bury St Edmunds – 01284 775700
London – 020 7323 5550

Midlands

Redditch – 01527 406290
Kegworth – 01509 686900

North Eastern

Leeds – 0113 232 1320
Newcastle – 0191 296 5333

Scottish

Glasgow – 0141 427 6561
Aberdeen – 01224 652820
Edinburgh – 0131 556 5242
– 0131 557 9109

Southern

Morden – 020 8687 5950
Andover – 01264 321460
Faversham – 01795 532637

North West

Warrington – 01925 578050
Belfast – 028 9066 3773
Preston – 01772 704003



**Health
& Safety**

Improving workers' lives –
Winning for members

Helpline 0800 030 80 30
www.usdaw.org.uk/healthandsafety



Usdaw
Union of Shop, Distributive
and Allied Workers

Published by: Usdaw, 188 Wilmslow Road, Manchester M14 6LJ

May 2018

Leaflet No. 399