Too Cold For Comfort

Working In Cold Temperatures

An Advice Guide for
Usdaw Members

USDAW
HEALTH & SAFETY

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: **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).

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- 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 Area Organiser 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.

Join the Union

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

Usdaw Nationwide

Wherever you work, an Usdaw rep or official (Area Organiser) is not far away. For further information or assistance, contact your Usdaw rep or local Usdaw office. Alternatively you can phone our Freephone Helpline **0800 030 80 30** to connect you to your regional office or visit our website: **www.usdaw.org.uk**
You can also write to the Union's Head Office. Just write **FREEPOST USDAW** on the envelope and put it in the post.

Join Usdaw

You can join online at:
www.usdaw.org.uk/join

Scan to join today

What Happens Next

Once we process your application, you will receive a membership card with our Helpline telephone number and a New Member's Pack giving details of all the benefits and professional services available to you.

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