

# RACISM

## in the workplace



The uncomfortable conversation that needs to be had!

2nd edition

# Race discrimination claims survey results and action required

**UNISON would like to thank everyone who took part in the survey about having that uncomfortable conversation.**

We have accumulated the responses received and this will focus the unions attention on the wider campaign, to tackle racism in the workplace at its earliest stages. To do this we need your help. You can help by contacting the union as soon as possible.

What the survey results identified was, as success levels in race discrimination cases continue to be the lowest despite long established legislation and the Race Protocol, more work needs to be done. Currently, members are expected to approach their local stewards/branch and we would encourage this route. But because of the survey, we also recognised that a regional race discrimination email address would complement the work branches are already doing. Please note the new regional email address to register your concerns is:

*[racediscrimination@unison.co.uk](mailto:racediscrimination@unison.co.uk)*

Based on the survey result UNISON campaign will seek to work with employers on tackling racism in the workplace. We will give the importance of tackling issues of racism with you, our members by

ensuring this shared responsibility, demonstrated by our actions not only in the workplace, but on an individual and collective basis.

## **We are there for you**

The earlier we hear from you the better! When you emailing UNISON, please give your name, your place of work and where possible, your membership details.

What we need to know?

1. Do you believe you have been discriminated against? If so, when i.e. the date of the act of discrimination?
2. What was the act of discrimination?
3. Have you contacted your Branch?

On receipt of your email you will receive a UNISON case form to complete and return. Once returned, you will receive a call either from the branch secretary or the regional officer. It will be important that an initial discussion takes place to establish further facts and to inform you based on the date of the act, the limitation period that we need to work to.

## UNISON Race Protocol

Once contact has been made and the initial discussion has taken place, you will receive information on how UNISON Race Protocol works. You will be taken through this process by a branch officer or a regional officer. This is an important step because a requirement of the Race Protocol is, members making a claim of race discrimination their cases are referred to the union solicitor and a meeting is arranged to discuss the details of the claim being made.

Please remember it is important to know that you have:

***3 months minus 1 day to register a potential claim of race discrimination with acas from the date of the act of discrimination. the sooner you approach UNISON we will guide you through this process.***

## Raising a grievance on claims of discrimination

UNISON is there to support you through the internal grievance process. The purpose of a grievance procedure is to give you a way of raising employment concerns with the employer. When raising a grievance, you must be clear on what you are trying to achieve. Please contact your branch or email the race discrimination email address.

## Victimisation - protective act

The primary purpose of the victimisation provision is to ensure that workers are not penalised because they have taken steps to exercise their statutory rights to challenge discrimination. The law protects workers complaining about discrimination against themselves as well as workers speaking out on behalf of others. Do contact your branch or email the race discrimination as soon as possible or email address for more information.

## Subject to a detriment

A 'detriment' is any disadvantage. For example:

- Pressuring a worker to drop an allegation of discrimination or threatening you if you go ahead.
- Refusing holiday leave request on desired dates.
- Refusing overtime or more shifts.
- Told not to complete incident forms.
- Becoming the subject of Capability, or something else out of the ordinary.

Where you feel subject to a detriment for raising a protect act, contact your union. Time limits apply to all acts of potential discrimination claims.

## Knowing Your Rights

The employer is responsible regardless of whether they knew or approved of an unlawful act unless they took all reasonable steps to prevent a discriminator from discriminating. It is for the employer to prove their defence. It is important to remember that the employer's responsibility is to take preventative action: it is not a defence that the employer acted promptly once they discovered the discrimination.

## Time limits - ACAS

3 Months minus 1 day from the alleged act of discrimination. Be clear on the date of the last act and contact the union.

## Thompson Solicitors

Works in partnership with UNISON on your behalf to:

- Defend workers' rights
- Improve working conditions
- Drive up working standards
- Enact the race protocol, and much more

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# How to Contact Us

**UNISON is the largest trade union in the UK and is campaigning against racism in the workplace.**

It is important that we understand the difficulties staff/members experience at work so that we can influence the negotiations of policies, the application of procedures and have a robust approach to the employer's Equality Impact Assessments.

Your help is important!

Become a workplace contact, a steward, or a branch officer.

UNISON offers training, mentoring and continued support. If you are interested, please email the race discrimination email address and someone will contact you with training details and a point of contact for an informal discussion.

**Keep Up to Date**

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**Email: [racediscrimination@unison.co.uk](mailto:racediscrimination@unison.co.uk)**

