

Displaying information

Employers who run businesses from offices, shops or factories will know that the present law requires a poster to be displayed for the benefit of employees summarising the legal requirements for health and safety. In an office or shop, the poster sets out in brief some of the main provisions of the Offices, Shops and Railway Premises Act and in the case of factories, some provisions of the Factories Act.

From October this year these posters will be replaced by a single poster which will cover all types of premises. Employers will have to display this in a place where it can be seen by employees.

The new details will draw the attention of employees to the employer's responsibility at law including making the workplace safe without risk to health, ensuring equipment is safe, providing adequate welfare facilities (including washing and toilet requirements).

It will also draw the attention of employees to their legal duties which will include co-operating with the employer on health and safety matters, not interfering with or misusing anything provided for health, safety and welfare and taking reasonable care for the safety of the

employee himself or herself and other employees.

The poster will be available in a month or two.

The employer is also under the new regulations, required to inform employees of the local addresses of the enforcing authority for health and safety law. In the case of offices and shops this is the local authority and in the case of factories this will be the Health and Safety Executive.

Switching off

Practically all businesses have some form of equipment which relies on electricity for it to function. Sometimes the machines may malfunction but before calling in a service engineer, an employee may try to examine what has gone wrong.

Although it is only commonsense to switch off first before tampering with the equipment, large numbers of accidents occur because this precaution is not taken.

The Health and Safety Executive have therefore announced that from 1st April next year new regulations, the *Electricity at Work Regulations*, will come into force which will make it an

offence if an employer allows any employee to work on equipment without switching off first.

The only exceptions to the rule would be where it is unreasonable in all the circumstances for equipment to be worked on in a dead state and only then where proper precautions are taken to prevent an injury. It is important, therefore, for all employers to ensure that no equipment connected to the mains is tampered with or worked upon unless the mains supply is switched off.

Terminating employment

Although it is widely known that there are minimum periods of notice that have to be given by both employers and employees to terminate employment, there are a number of points worth clarifying.

First, the basic facts. Unless there is serious misconduct (e.g. theft) an employer has to give an employee the following minimum notice (or money in lieu) depending on how long the employee has had in that employer's service.

For any service between four

weeks and two years, one weeks notice. When there has been two years service — two weeks notice has to be given; for three years service, three weeks notice and so on up to twelve years service when twelve weeks notice applies. Above this period, twelve weeks notice is the rule.

There is nothing to prevent an employer or an employee agreeing to longer periods.

In the event of redundancy, in addition to a redundancy payment, the notice or money in lieu of notice must be given.

An employee must give his employer a minimum of one week's notice. What happens if the employee walks out without giving this period of notice?

Theoretically, the employee is in breach of his contract and the employer can take him to court to claim any loss suffered as a result.

However, especially in the case of a small employer, it is difficult to quantify this loss in cash terms. It might mean inconvenience and one or two people working harder but there is very little actual financial loss. In most cases, therefore, it is just not worthwhile setting the legal processes going and most employers make the best of a bad job.

Finally, it is worth noting that in the event of redundancy and notice being given, the employer is under a legal obligation to allow the employee reasonable time off to seek other employment.

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