

WORKERS IN THE EYE OF THE STORM

Demanding legislation to protect
workers during extreme weather events



Unite Toolkit #3

“The company were more interested in production than employees’ safety. Because there is no clear legislation around extreme weather events, it is left to employers discretion to do what they want. Unfortunately, employers’ only concern is profit so they will choose to ignore weather warnings if it suits their agenda”

- Worker’s response to survey of Unite members following Storm Éowyn

Workers in the Eye of the Storm is the third in a series of short policy briefs, or ‘Unite Toolkits’. If you want to obtain a copy of the first two Toolkits in this series, **Bringing Housing Home** and **Our Seat at the Table**, or comment on this document, please email toolkit.ireland@unitetheunion.org.

Storm Éowyn: workers on red alert

On the evening of Wednesday 22 January, Met Eireann issued a ‘Red Alert’ for the whole of Ireland from the the early hours of Friday 24 January. By Thursday 23 January, it was clear that Storm Éowyn would be one of the most severe storms in living memory.

Despite the alert, thousands of workers were forced to travel and work throughout the storm and its devastating aftermath.

Late on Thursday, when authorities had instructed those who could to stay home and ‘shelter in place’ during the forthcoming storm, Unite started receiving calls from worried members.

Some had received no communication from their employer regarding whether their workplace would be closing, others were being instructed to take the Friday as an unpaid day’s leave or as time-off-in-lieu. Some members were told they would be docked a day’s pay, while some had to travel to work the night before to avoid the storm, with no provision being made for their accommodation.

The situation was made worse by the lack of specific legislation outlining employers’ responsibilities during extreme weather events and requiring all workplaces to have an extreme weather policy.

Following Storm Éowyn, Unite decided to ask our members about their experiences during and after the storm.

While some employers behaved responsibly during Storm Éowyn, others put their workers at risk – forcing them to travel and work during unsafe conditions, or expecting them to carry the cost of workplace closures, for example by taking leave or foregoing a day's pay.

Our survey also highlighted the gendered impacts of extreme weather events. Nearly half of all respondents to our survey indicated that they had caring responsibilities, and some of the responses pointed to the difficulties faced by workers trying to combine caring and work responsibilities during the storm.

The intensity and frequency of extreme weather events is likely to increase as a result of accelerating climate breakdown.

Yet just over 40 per cent of respondents to our survey said that their employer has an Extreme Weather policy, and even where they did have a policy it was not always consistently communicated or implemented. One member working in the health sector noted that:

“Extreme weather policy was unknown to management, staff had to make management aware of such policy and we are still awaiting reimbursement from said policy”



International evidence shows that unionised workplaces, with union-trained health and safety representatives, are safer workplace.

In fact, Unite and our union reps intervened in a number of instances to ensure that members were safe and paid as usual during Storm Éowyn and its aftermath.

This ‘union safety premium’ was noted by one respondent to our survey, working in the engineering and manufacturing sector, who bluntly stated that “They paid us because we are unionised”.

It is therefore likely that Unite’s survey of union members significantly understates the challenges faced by workers across Ireland, including the many workers in non-unionised workplaces.

The responses to our survey have been evaluated below, and they inform Unite’s policy demands summarised at the end of this booklet.

Susan Fitzgerald
Irish Secretary - Unite the union



THE SURVEY

Who responded?

- A total of 576 responses to the survey were received from workers employed in the Republic.
- Demographic questions relating to gender or age were not asked.
- A large response was received from workers in the finance and legal sector, who accounted for 30% of respondents, followed by the education, healthcare and construction sectors.
- Nearly half (49 per cent) of respondents indicated they had caring responsibilities at home.

Workplace closures and working from home

- 65 per cent reported that their employer had closed their workplace during Storm Éowyn, while 22 per cent indicated that their workplace did not close.
- Of those whose workplace closed on the day of the storm, 57 per cent reported that they worked from home during the storm, while 35 per cent did not. Of the remainder, some reported that they were unable to work from home due to storm-related power, internet and phone outages.

Timeliness of information provided by employer

“In a Red Weather Warning, where an employee's role is not a critical service and an employee can work from home, there should be no requirement for employees to have to wait for confirmation from their employer that they 'may' work from home during the warning, it should be implicit by the warning having been issued”

- Unite member working in the service sector

- Of those who reported that their workplace closed on the day of storm, the majority (73 per cent) said their employer had provided timely information on closure/working from home and/or payment arrangements, while 23 per cent indicated that they did not.

Essential workers or not?

“[Work is] essential when it suits our management”

- Unite member working in the health sector

- Of those who indicated that their workplace did not close on the day of the Storm, 75 per cent said that their employer considered their work 'essential' and therefore they were expected to go to work.
- The respondents were then asked whether they felt their work to be essential. Their responses differed from the employers' assessment. 68 per cent said their work was essential, while 26 per cent said it was not. Of the remainder, some indicated that they considered this was contingent on staffing levels or the weather.

Working on the day of Storm Éowyn

“We were offered nothing for risking our life traveling to work; we were given no extra time for break having left home early”.

- Unite member, health sector

- Of those respondents whose employer keep their workplace open on the day of the storm, 59 per cent attended work while 24 per cent indicated that they did not go into work that day
- Of those who went into work, just over half, or 52 per cent, reported that they were expected to come in early or leave later to avoid travelling due to the storm. Of those, 41 per cent said they were paid and accommodated properly with 39 per cent saying that they were not.



Safety during Storm Éowyn

- Of those who attended their workplace on the day of the storm, 48 per cent reported that they did not feel safe, while 32 per cent reported feeling safe.

Some workers offered detailed descriptions of unsafe conditions:

“Ambulance service road staff had to risk-assess each call and inform their dispatch as to why they couldn't attend calls, but they had to go out and drive high side vehicles until they deemed it unsafe to do so”

- Those who went into work were asked specifically if they felt safe travelling to or from work that day. 56 per cent said they did not feel safe travelling, while just 20 per cent reported that they felt safe.

One member working for a local authority wrote that:

“I almost got killed by a fallen tree during the storm and very nearly didn't make it home. I had to drive from Dublin to Athlone.”

Outdoor working

- Of those who went to work on the day of Storm Éowyn, 32 per cent reported that their work normally involved outdoor duties.
- Of those, 58 per cent reported that they were required to work outdoors on the day of the storm, with 61 per cent of those working outdoors reporting that they felt unsafe working outdoors during the storm.
- 53 per cent, or over half, of those who worked outdoors during the storm felt their employer had not taken all reasonable precautions to make their work safe.
- Three workers reported that their Unite rep had to argue the case for them not to work outdoors during the storm.

Workers paying for the storm: leave, pay and other arrangements

“I was told late Thursday that I could take annual leave, if not we had to come to work on Friday. Friday morning we got told not to come until after 11; they only paid us three hours for the day”

- Unite member, construction sector

- Of those whose workplace closed on the day of the storm, 13 per cent had to take unpaid leave, 10 per cent annual leave and 8 per cent had to use accrued flexi-time or time-off-in-lieu.

“Our current employment contract stipulates that the company doesn't have to pay us even if we can work because of a weather event. Which is ridiculous. If I had had power and Internet, I would have worked. I shouldn't have to use one of my annual leave days to cover a day of missed work, when the missing work wasn't my fault.”

- Unite member, construction sector

“[The workplace] was closed during the red warning but we never got paid. We had to take holidays or unpaid leave”.

- Unite member, food sector

Asserting our right to be safe: workers' confidence

“I had to push back [...] It appears that they may have got direction to show flexibility from more senior management but I had to be firm and refuse my direct [line manager's] demands”

- Unite member, finance sector

- Of those whose workplace closed down and who did not work or worked from home on the day of the storm, 20 per cent said they did not feel comfortable asserting their right to be safe with their employer. It should be stressed that the survey was confined to union members: it is likely that a higher proportion of non-unionised workers would not feel comfortable asserting their rights.



During and after the storm: overall safety

- Those who either worked at home or whose workplace remained open on the day of the storm were asked if they felt safe during the storm.
- 24 per cent, or nearly a quarter, said they did not feel safe.
- All respondents were asked if they thought their employer handled the aftermath of the storm well.
- While 73 per cent felt the aftermath had been well-handled, 20 per cent felt it had not.

One member noted that:

“The delay in communications is a big issue plus no follow up with staff if it was safe to travel the next working day. A lot of branches on the ground in the neighborhood and I’m on public transport so didn’t feel safe travelling in the aftermath. Managers never asked if anyone was affected the information had to be volunteered by the individual”.

- Unite member, finance sector

- All surveyed were asked, if they were expected to turn up for work the next day (a Saturday), whether they felt safe travelling to or from work. 20 per cent said they did not.

Extreme weather policies

“We should have some kind of extreme weather policy especially if work is closed or roads are too bad to travel on and the government is telling us not to travel unless absolutely necessary so that we are not worrying that we are going to lose pay or holidays or get into trouble, it was very worrying at the time”

- Unite member, education sector

“There will be more of these extreme weather events and suggest approach going forward will need to reflect this”

- Unite member, utilities sector

- We asked all those surveyed whether they were aware of their employer having an ‘Extreme Weather’ health and safety policy.
- 59 per cent said either that their employer did not have such a policy or that they were unsure whether one existed.



UNITE PROPOSALS FOR ADDITIONAL LEGAL PROTECTIONS



Background

There is a growing academic and scientific consensus that accelerating climate breakdown is likely to increase the frequency and intensity of extreme weather events, including extreme temperatures.

In Northern Ireland, following the death in 2018 of Unite member Matthew Campbell, killed while working during Storm Ali, Unite has had a series of engagements with Stormont departments around the need to protect workers from the impact of extreme weather events. Most recently, the Northern Ireland Minister for the Economy has committed to convening a 'round table' to address these issues.

The urgency is clear. The Irish Environmental Protection Agency has warned that:

Climate change not only means changes in the average climate such as temperature but also changes in the frequency and intensity of extreme weather and climate events[1].

Speaking ahead of Storm Storm Éowyn, Professor Suzanne Grey of the University of Reading's Department of Meteorology pointed out that:

[...] studies have shown that winter storms may become more frequent and clustered in the future, such that several storms occur one after the other[2].

[1] Environmental Protection Agency. 2022. "What Impact Will Climate Change Have on Ireland?" www.epa.ie/environment-and-you/climate-change/what-impact-will-climate-change-have-for-ireland/.

[2] Expert Comment: Storm Éowyn 'rapidly intensifying' as it approaches UK. January 2025. www.reading.ac.uk/news/2025/Expert-Comment/Storm-Eowyn-Expert-comments-University-of-Reading

With regard to temperatures, a new model developed by researchers at Maynooth University estimates that a temperature exceeding 34 degrees Celsius -- a value not yet recorded in Ireland -- changed from a 1 in 1,600-year event to a 1 in 28-year event between 1942 and 2020. Lead researcher Prof Andrew Parnell noted that:

[...] the findings underscored the urgency for societal adaptation to increasing extreme temperature events, which have profound implications for public health, agriculture, economic stability, and infrastructure resilience[3].

Such extreme weather events bring with them a range of immediate and long-term health and safety risks for workers which are not specifically addressed by existing legislation and regulatory protections.

Unite's policy recommendations below are informed by our members' experiences, most recently during Storm Éowyn.

1

Extreme weather events and natural disasters

- A statutory obligation on employers to conduct extreme weather risk assessments for all employees – including for essential workers travelling to and from work during extreme weather events, and during the aftermath when travelling remains hazardous.
- A legal obligation on employers to implement graduated alert-based responses, with non-essential outdoor work ceasing during amber alerts and all non-essential work ceasing during red alerts.
- A legal requirement that, where the above provisions require work to cease, workers be paid as usual for the day/ days in question.
- Explicit prohibition of any attempts to shift the cost of extreme weather events onto workers (by deducting pay, requiring workers to take leave, accrued flexitime or TOIL, or similar.



[3] Extreme temperatures becoming more common in Ireland MU study [press release]. July 2024. <https://www.maynoothuniversity.ie/hamilton/news/extreme-temperatures-becoming-more-common-ireland-mu-study>

- Extension of these protections, and existing protections under health and safety legislation, to self-employed workers on sites or projects, and to platform workers
- Enhanced statutory rights, powers and facilities for elected union Health and Safety Representatives
- Requirements on employers to be legally enforceable, with breaches attracting significant sanctions

2

Climate Leave

Responses to Unite's survey in the wake of Storm Storm Éowyn highlighted the difficulties faced by workers during the aftermath of the storm. In addition to difficulty travelling to and from work due to fallen trees and power lines, many workers were dealing with a lack of power, gas and internet connections. Over 750,000 homes and businesses lost power during the storm, with many waiting weeks for full resumption of services. The disruption to utilities during and after extreme weather events also exacerbates the difficulties faced by workers with caring responsibilities.

“For those, who can't travel or having any other difficulty as a result of these events, there should be paid day off provided as an emergency leave. It's not too often.”

- Unite member, media sector

The ongoing difficulties faced by workers in the aftermath of extreme weather events were recognised by another EU member state, Spain, which enacted legislation providing for 'climate leave' following last year's devastating floods in Valencia. Unite is proposing that similar legislation be enacted in Ireland, in addition to the health and safety measures outlined, above providing for:

- Four days' paid leave if extreme weather makes it impossible to travel to work, with the possibility of extending this period until conditions improve
- Four days' paid leave also to be available if workers need to address needs at their home (which can range from structural damage to the unavailability of childcare or eldercare) resulting from extreme weather impact
- After four days, enterprises to be able to declare 'force majeure' and access government supports as part of a package of temporary suspension measures



3

Extreme temperature events

Research shows that, ordinarily, ordinarily people work best at a temperature between 16°C and 24°C, according to the WHO. When temperatures rise above 30°C, the risk of workplace accidents increases by 5-7%, with the risk increasing as temperatures rise further[4].

Unite therefore proposes legislation to establish statutory maximum working temperatures depending on the type of work and the working environment, and oblige employers to attempt to reduce temperatures.

- **An action level of 24C where heat management controls/systems must be put in place.**
- **Absolute maximum temperature of 30C (or 27C for strenuous jobs) at which work should stop if these cannot be prevented by using engineering controls.**
 - Oblige employers to monitor temperatures and conduct risk assessments, with the nature and scope of the assessment laid down by law
 - Establish specific provisions protecting 'at risk' groups of workers, including workers with disabilities, those with chronic health conditions and those experiencing menopause
- **Oblige employers to put in place specified monitoring and mitigation measures.**

4

Recognition of temperature-related illnesses as occupational diseases

Legislation to recognise illnesses caused by extreme workplace/site temperatures as occupational diseases as per the ILO List of Occupational Diseases Recommendation.



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