

ASDA Retail Colleagues : Key Rights at Work, 2026

Flexibility and Capability

ASDA can ask colleagues to change aspects of their working pattern where there is a genuine business reason and the change is reasonable. This may include changes to duties, shift patterns, start and finish times, days worked or department within the same job family. However, there are important limits. ASDA cannot:

- Increase or reduce your contracted hours without your agreement.
- Move you outside your job family without your agreement.
- Move you from days to nights (or vice versa) without your agreement.
- Normally implement changes without giving at least four weeks notice.

Before making changes, managers are expected to consider your personal circumstances, including:

- Childcare responsibilities.
- Caring responsibilities.
- Religious commitments.
- Pregnancy.
- Disability.
- Other significant personal commitments.

*These protections are reinforced by the **Equality Act 2010**, which prohibits discrimination on grounds including sex, disability, pregnancy and maternity, religion or belief, age and other protected characteristics.*

If You're Asked to Change Your Hours or Role

- Ask what business reason is driving the change.
- Explain any personal circumstances that make the change difficult.
- Ask whether alternative arrangements have been considered.
- Contact your GMB representative for support.
- Keep notes of all meetings and conversations.

The ASDA-GMB Partnership Agreement commits both parties to supporting

reasonable change through consultation, engagement and partnership working.

Capability Concerns

Where capability issues arise because of health, disability, pregnancy or other personal circumstances, ASDA must consider reasonable adjustments and avoid discrimination. Managers are specifically instructed to take these factors into account before implementing changes.

Your Right to Be Safe - and to Refuse Unsafe Work

Every worker has a legal right to a safe workplace under the **Health and Safety at Work etc. Act 1974**. ASDA must provide:

- Safe systems of work.
- Safe equipment.
- Adequate training.
- Suitable risk assessments.
- A workplace that protects colleagues' health, safety and welfare.

Can I Refuse Unsafe Work?

Yes.

Sections 44 and 100 of the Employment Rights Act 1996 protect workers who reasonably believe there is a serious and imminent danger.

If you genuinely believe work is unsafe, you have legal protection when you:

- Refuse to work in dangerous conditions.
- Leave a dangerous workplace.
- Take reasonable steps to protect yourself or others.

You should not suffer disciplinary action or detriment for raising legitimate health and safety concerns.



What Should You Do?

If you believe a task is unsafe:

1. Stop and assess the risk.
2. Raise the concern with your manager immediately.
3. Contact your GMB representative or Health and Safety Representative.
4. Ask for the risk assessment to be reviewed.
5. Keep a written record of your concerns.

The Role of GMB Safety Representatives

Under both UK law and the ASDA-GMB Partnership Agreement, GMB safety representatives can:

- Raise health and safety concerns.
- Investigate accidents and near misses.
- Carry out safety inspections.
- Be consulted on issues affecting colleagues' health and safety.

Remember: If you're unsure about a flexibility change, disciplinary issue or safety concern, speak to your GMB representative as early as possible. Early advice can often prevent problems from escalating.

Your Right to Be Accompanied

You have a legal right to be accompanied at disciplinary and grievance hearings under the **Employment Relations Act 1999**. Your companion can be:

- A trade union official.
- A certified trade union representative.
- A work colleague.

ASDA's own policy also confirms that colleagues attending informal meetings have the right to be accompanied by a GMB representative, either locally or from your GMB region.

GMB Representation

Under the ASDA-GMB Partnership Agreement:

- GMB is the recognised trade union for hourly-paid GMB members.
- Colleagues have the right to collective and individual representation.
- GMB shop stewards can represent

members in disciplinary hearings, grievance hearings and informal workplace meetings.

If You're Invited to a Meeting

- Ask what the meeting concerns.
- Ask if disciplinary action is being considered.
- Contact your GMB representative immediately.
- Request representation before attending any formal meeting.
- Do not feel pressured to attend alone.

Key Rights at a Glance

Flexibility

- ✓ Four weeks notice of changes (normally).
- ✓ No increase or reduction in hours without agreement.
- ✓ No move outside your job family without agreement.
- ✓ Personal circumstances must be considered.

Representation

- ✓ Right to trade union representation.
- ✓ Right to be accompanied at disciplinary and grievance hearings.
- ✓ Right to appeal disciplinary outcomes.

Safety

- ✓ Right to a safe workplace.
- ✓ Protection when raising health and safety concerns.
- ✓ Protection where there is serious and imminent danger.
- ✓ Support from GMB Health and Safety Representatives.



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