

Employer's Name
Company Name
Company Address

Your Name
Your Address

Date:

Notice

Employer's Name,

Re: The dangers, health risks and safety concerns regarding the wearing of surgical, N95, & fabric masks.

I am writing to formally express my concerns regarding the recent requirement for all employees, including myself, to wear a face covering as part of workplace policy, I must raise a significant health and safety concern regarding the impact this has on my well being, particularly in relation to the restriction of oxygen intake.

Based on my understanding of the potential risks and legal concerns associated with prolonged use of face coverings, I am worried that the practice may significantly reduce my ability to breathe properly, leading to dangerous and potentially life-threatening levels of oxygen deprivation. The oxygen content in the air we breathe should typically remain around 21% for healthy function. When the nose and mouth are covered with a mask it can cause increased re-breathing with an accumulation of carbon dioxide in the wearer. Elevated blood carbon dioxide (CO₂) levels known as hypercapnia. Hypercapnia can trigger panic attacks.

Wearing a mask can cause an increase in dead space volume, breathing resistance, blood carbon dioxide, heart rate, respiratory rate and a decrease in blood oxygen saturation, cardiopulmonary capacity.

Increased risk of adverse affects, including but not limited to:

- Acne
- Anxiety
- Asthma
- Atopic
- Bacterial and Fungal infections
- Blood Pressure increase
- Candidiasis (fungal infestation of the mucous membranes with *Candida albicans*)
- Cardiopulmonary Diseases
- Cardiopulmonary Dysfunction
- Cheilitis (inflammation of the lips)
- Claustrophobia
- Communication Disorder

- Confusion
- Contact eczema
- COPD
- Decrease in empathy perception
- Decrease in maximum speed and reaction time
- Dementia
- Depressive feelings
- Difficulty breathing
- Discomfort
- Disorientation
- Dizziness
- Drowsiness
- Empathy
- Epilepsy
- Exhaustion
- False sense of security
- Fatigue
- Feeling of dampness and heat
- Halitosis (bad breath)
- Migraines and Headache
- Heart Rate increase
- High blood carbon dioxide levels
- Hypercapnia (increase in CO₂)
- Hyperventilation can be triggered in epileptics
- Hypoxia (decrease in O₂)
- Impaired cognitive performance
- Impaired field of vision
- Impaired skin barrier function
- Irritation
- Itching
- Neuromuscular Diseases
- Obesity
- Panic Disorder
- Personality Disorders
- Provocation of gingivitis (inflammation of the gums)
- Psychosomatic and stress-related illnesses
- Psychovegetative Reactions
- Psychovegetative stress

- Reduced quality of life
- Renal Failure
- Respiratory diseases
- Respiratory Impairment
- Respiratory Rate increase
- Rhinitis and obstructive Diseases
- Schizophrenia
- Shortness of breath
- Skin irritation
- Skin lesions
- Sleep Apnea Syndrome
- Slurred speech
- Social withdrawal
- Suppression of emotional signals
- Unconsciousness or even death (severe cases)
- Vasodilation
- Vocal Cord Disorders
- Voice Disorder

In light of this, I would like to formally request a review of this policy, as I believe that forcing me to wear a face covering in circumstances where it may compromise my oxygen levels is not only dangerous to my health but is in violation of my rights under UK health and safety law.

Occupational Safety and Health Administration - Oxygen Levels for Humans

The Occupational Safety and Health Administration, OSHA, determined the optimal range of oxygen in the air for humans runs between 19.5% and 23.5%. The normal air in our environment consists of a few different gases. Approximately 78% of the air is nitrogen gas and 20.9% is oxygen. The remaining fraction is made up of argon gas, trace amounts of carbon dioxide, neon and helium.

Normal atmospheric oxygen concentration is approximately 20.9%. This is the level we are all accustomed to breathing in.

- Oxygen levels below 19.5% (which is considered oxygen-deficient) can impair human performance and cognitive function.
- Oxygen levels below 16% can lead to dizziness, shortness of breath, and confusion.
- Oxygen levels below 10% are life-threatening, and people can lose consciousness and potentially die without immediate intervention.

Face coverings that impede airflow will reduce the amount of oxygen you can inhale, especially if they become moist from exhalation or if they are worn for prolonged periods. This will push oxygen content to dangerous levels.

Excerpts from ‘International Journal of Environmental Research and Public Health’

The following information is taken from an extensive report and can be viewed in full by going to <https://www.mdpi.com/1660-4601/18/8/4344>

As early as 2012, an experiment showed that walking in the 20 masked subjects compared to the identical activity without masks significantly increased heart rates (average +9.4 beats per minute, $p < 0.001$) and breathing rates ($p < 0.02$). These physiological changes were accompanied by transcutaneous significantly measurable increased transcutaneous carbon dioxide (PtcCO₂) levels ($p < 0.0006$) as well as respiratory difficulties in the mask wearers.

In a recent experimental comparative study from 2020, 12 healthy volunteers under surgical masks as well as under N95 masks experienced measurable impairments in the measured lung function parameters as well as cardiopulmonary capacity (lower maximum blood lactate response) during moderate to heavy physical exertion compared to exertion without masks ($p < 0.001$). The mask-induced increased airway resistance led to increased respiratory work with increased oxygen consumption and demand, both of the respiratory muscles and the heart. Breathing was significantly impeded ($p < 0.001$) and participants reported mild pain. The scientists concluded from their results that the cardiac compensation of the pulmonary, mask-induced restrictions, which still functioned in healthy people, was probably no longer possible in patients with reduced cardiac output.

In another recent study, researchers tested fabric masks (community masks), surgical masks and FFP2/N95 masks in 26 healthy people during exercise on a cycle ergometer. All when breathing showed an overall significantly reduced possible gas exchange volume of the lungs of minus 37% caused by the mask (Lee 2011) according to a decrease in breathing depth and volume due to the greater breathing resistance of plus 128%* (exertion when inhaling greater than when exhaling) and due to the increased dead space volume of plus 80%, which does not participate directly in the gas exchange and is being only partially mixed with the environment.

In an observational study of ten 20 to 50 year-old nurses wearing N95 masks during their shift work, side effects such as breathing difficulties (“I can’t breathe”), feelings of exhaustion, headache ($p < 0.001$), drowsiness ($p < 0.001$) and a decrease in oxygen saturation SpO₂ ($p < 0.05$) as well as an increase in heart rate ($p < 0.001$) were statistically significant in association with an increase in obesity (BMI)

For a pregnant woman and her unborn child, there is a metabolic need for a fetal–maternal carbon dioxide (CO₂) gradient. The mother’s blood carbon dioxide level should always be lower than that of the unborn child in order to ensure the diffusion of CO₂ from the fetal blood into the maternal circulation via the placenta.

Feeling of deprivation of freedom and loss of autonomy and self-determination, which can lead to suppressed anger and subconscious constant distraction, especially as the wearing of masks is mostly dictated and ordered by others.

1948 Geneva Declaration

In addition to protecting the health of their patients, doctors should also base their actions on the guiding principle of the 1948 Geneva Declaration, as revised in 2017. According to this, every doctor vows to put the health and dignity of his patient first and, even under threat, not to use his medical knowledge to violate human rights and civil liberties.

UK Legislation: Employee Rights to Health and Safety

I would like to draw your attention to the following relevant UK legislation that protects employees in situations like this:

The Human Rights Act 1998

The Human Rights Act 1998 incorporates the European Convention on Human Rights (ECHR) into UK law, providing individuals with protection against certain actions, including forced actions.

Article 3: Prohibition of Torture and Inhuman or Degrading Treatment

This article prohibits anyone from being subjected to degrading or inhuman treatment or punishment. If as an employer you force me to do something that leads to physical or mental harm (for example, forcing me to wear a mask that significantly impairs my health), my rights under this article are being violated.

Article 8: Right to Respect for Private and Family Life

This article ensures my right to privacy, including my right to make decisions about my own body and health. If I am forced to engage in actions that affect my physical or mental health without my consent, this infringes on my rights to personal autonomy under Article 8.

Health and Safety at Work Act 1974 (HSWA)

Under this Act, employers have a duty of care to ensure the health, safety, and welfare of their employees. This includes assessing any risks that may arise from working conditions, equipment, or any practices that could potentially harm employees. Specifically, section 2 of the HSWA requires employers to provide a safe working environment and eliminate or minimize risks to health and safety.

Control of Substances Hazardous to Health (COSHH) Regulations 2002

While primarily focused on chemicals and hazardous substances, COSHH regulations require employers to carry out risk assessments when there are potential risks to employees' health. Industrially manufactured masks (surgical mask and N95) use formaldehyde (ingredient of the textile) and thiram (ingredient of the ear bands). The hazardous substance thiram, originally a pesticide and corrosive, is used in the rubber industry as a optimization accelerator. Formaldehyde is a biocide and carcinogen and is used as a disinfectant in the industry. The wearing of face coverings that contact the skin and restricts normal breathing or oxygen intake, fall under this regulation as a hazard.

Equality Act 2010

If wearing a face covering presents a direct and substantial health risk, it could also be argued that forcing such a policy may discriminate against individuals with specific health conditions or disabilities (such as epilepsy and respiratory issues). As such, the failure to make reasonable adjustments will constitute discrimination.

Personal Protective Equipment at Work Regulations 1992 (PPE Regs)

Employers must ensure that any personal protective equipment (PPE) provided does not endanger the wearer's health. If a face covering is causing discomfort, or worse, restricting breathing to dangerous levels, the equipment would not meet the basic legal requirements for protecting health and safety.

The Employment Rights Act 1996

The Employment Rights Act 1996 provides protection against unfair treatment in the workplace, including protection from being forced to work in unsafe conditions.

Section 44: Protection from Dismissal for Health and Safety Reasons

Under this section, employees are entitled to refuse to carry out work if they believe it presents a serious and imminent danger to their health or safety. I feel that being forced to wear a face covering is endangering my health (e.g., reducing my oxygen intake to dangerous levels), I have the legal right to refuse to comply without the risk of dismissal.

Section 100: Dismissal on Health and Safety Grounds

If I am dismissed for refusing to engage in activities that I believe endanger my health (e.g., wearing a face covering that causes health issues), this would constitute an unfair dismissal.

The Common Law: Assault and Battery

If the situation involves physical force or an unlawful act, common law will come into play:

Assault occurs when someone causes you to fear imminent physical harm. Forcing me to wear a mask or face covering will lead to assault as I would be placed in immediate fear of harm that causes distress.

Battery is the application of force to another person without consent, and it is a criminal offence. If I am forced to do something against my will by physical means (e.g., physically placing a face covering on my face), this is considered battery under common law.

Request for Review and Legal Action

Given the potential health risks involved, I request that you reconsider this policy. If the policy remains in place, I would appreciate a risk assessment specific to my circumstances, particularly in relation to the restriction of oxygen intake.

Please be advised I do not consent to wearing a mask and if this matter is not addressed promptly and appropriately, I may be forced to take further steps to protect my health and safety. This may include seeking legal advice or making a formal complaint to the Health and Safety Executive (HSE). If necessary, I will not hesitate to explore options for legal action based on health and safety breaches or discrimination.

I look forward to your prompt response and a constructive resolution to this matter.

Your Name
Your Job Title
Company Name who you work for