

The Unite logo, featuring the word 'Unite' in white, slanted text on a red background.

ACTION LERT



www.unitetheunion.org

SOLIDARITY AND PICKETING ADVICE FOR STRIKE ACTION ORGANISED FOR 30th JUNE

You will be aware that colleagues from the Association of Teachers and Lecturers (ATL), National Union of Teachers (NUT), Public and Commercial Services Union (PCS) and University and College Union (UCU), have successfully balloted for industrial action and are now engaged in a national dispute with their employers across Education and Government Services. This dispute centres on Government attacks on pension provisions, jobs and public services in areas covered by the four unions.

The ATL, NUT, PCS and UCU are the first to act on this issue. Unite has a large membership in the local government pension scheme, the NHS and Civil Service schemes as well as University and teacher's pension schemes and we have members in areas facing similar attacks on jobs, pay and services. In many of these areas Unite has either already or in the process of balloting our members for strike action. Further, we are preparing with other public service unions to ballot more widely on the pensions issue specifically if progress is not made in negotiations with central government on a satisfactory settlement.

Our members and the wider community will want to express their own individual support for this first round of action. In areas where Unite has not balloted for industrial action at this stage, how members express their support must be left to the individuals own judgement. All expressions of support should be undertaken outside of work hours to protect the individual member from any false suggestion that he or she is involved in secondary action.

SOLIDARITY ACTIONS

We strongly encourage members to express their own individual support and more generally we would encourage Branches, shop stewards committees and activists to make contact with the four unions locally ahead of the 30th June, expressing support and establishing whether there is any further solidarity action that could be jointly organised.

- ▶ set up an 'action committee' with work colleagues and members of the wider community to plan and coordinate activities
- ▶ offer speakers to local meetings and rallies
- ▶ distribute materials and organise for flags and placards to be available on the day
- ▶ organise community demonstrations to show solidarity with all affected by the government attacks on pensions, jobs and our public services. Demonstrations should take place in non-work hours to avoid any mistaken suggestion that these amount to secondary action
- ▶ advertise member meetings to discuss the issues and build our own organisation
- ▶ write to and visit your MP and councillors asking them to support fair public sector pensions, jobs and services to our communities

Please ensure that we do all we can to make the industrial action organised by our colleagues on June 30th a great success. It is very much part of our fight.

*Keeping you up to date and informed
Supporting our members **fighting back***

PICKETING ADVICE

Unite members may encounter picket lines either at their place of work or during the course of their work. Given this, and the very complex legal position workers and unions currently find themselves in, we have issued the following advice;

▶ It is perfectly lawful for pickets to approach workers; other employees at the place of work covered by the strike action, lorry drivers and/or drivers of other vehicles making deliveries or collections from the workplace. It is perfectly lawful for these pickets to ask workers to stop, to communicate information to them on the merits of their dispute and to peacefully persuade them to honour the picket by abstaining from working.

Unfortunately, until such time as UK workers are protected by the same democratic rights provided to others across Europe to make individual expressions of solidarity and support, attending a place of work and then refusing to cross a picket line could amount to unauthorised industrial action and could place those members at risk of disciplinary action, even dismissal, and/or deductions from pay. It is important that our members understand these risks and feel able to explain such risks as and when they are approached by anyone on a picket line.

▶ If members approach any picket line they should advise the pickets that support is given to the dispute by Unite but as they have not been balloted for industrial action themselves they will not be able to join the strike. However, they will not undertake any work outside of their normal contractual duties, neither will they take over the work normally conducted by those workers in dispute. If your employer demands that you do take over the work of those in dispute immediately speak with your shop steward, the union will resist such demands and could ballot members to join the industrial action.

▶ If members approach or are approached by pickets and on assessing the situation feel insecure, threatened in any way or indeed believe that their presence or continued operation in the area could endanger either themselves or others, they have the right to remove themselves from the situation.

▶ If it is believed that this is the only available course of action members should leave the area and contact their employer for further guidance. If contact cannot be made with their employer and they are not at their place of work they should return to their place of work, unless advised otherwise.

▶ Employees have a statutory duty under the Health and Safety at Work Act (1974) Section 7, not to endanger themselves or others during the course of their work. This decision is one that can only be made by yourself as the individual concerned, having assessed the situation as you see it on the ground. As above, in these circumstances you should remove yourself from the area and contact your employer for further guidance.

▶ Your employer has a statutory responsibility to assess all risks to both yourself as an employee and to other who may be affected by or arising from their operations. This duty has been strengthened by Regulation 3 (3)b of the Health and Safety at Work Regulations (1999) which requires employers to review risk assessments where there have been significant changes to the risks posed. Risk assessment must therefore be up to date and relevant to the situation, in writing and provided to you on request prior to you commencing duties.

Please do what you can to support colleagues taking action on the 30th June – stopping this attack on decent hard working people, our public services and the vulnerable that rely upon them is a fight we cannot afford to loose

Len McCluskey

General Secretary

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