Industrial action 10th July 2014

I’m not a member yet: can I join and still take part in the proposed action?

Providing your employer is in the ballot, new members can join UNISON, and join the strike, right up to and including on the day of action - provided that their employer is one of the employers involved in the ballot.

So if this is the case - yes, you can join the strike: you just need to fill in an application form first and hand it to your local steward. Once you fill your application form in and hand it to your local steward you are a member at that point.

COMMON QUESTIONS REGARDING STRIKE ACTION:

Is it against the law to strike?

There is no legal right to strike in the UK, but there is limited protection to individuals, there so-called right to strike exists provided certain conditions are met.

1) To be immune from liability, there has be a "trade dispute" - for example about terms and conditions, dismissals etc. the dispute should be real and substantial. It cannot be a political dispute (when the union is not really at dispute with the employer but is protesting about government policy)
   It also does not include "secondary action" (such as sympathy strike).

2) if a lawful ballot is not held, immunity is lost.
   rules on balloting;
   • the union must ballot all those members it intends to call upon to take action
   • there must be a separate ballot for each employer
   • the employer must be given 7 days’ notice before the ballot and before industrial action
   • the union usually has to appoint an independent scrutiniser
   • each member being balloted must have voting paper sent to their home address and all have the right to vote in secretly
   • the voting papers must contain either a question asking whether you are prepared to take part in a strike, or a question asking whether you are to take part in action short of a strike, or both. The two questions cannot be run together as one.
There are rules on informing employers and members of the result.

**Is it against the law to picket?**

- It is lawful to picket, but the law imposes limits;
- Picketing by members may only lawfully take place at or near their own place of work.
- Pickets are allowed to peacefully persuade workers and others (i.e. suppliers) not to cross the picket line, and anyone who decides to do so must be allowed to cross.
- Union officials may picket otherwise than at their own place of work where they are accompanying other lawful pickets.
- You should adhere to any requests from the police. Peaceful picketing should be taking place. If by any chance you are arrested please ring UNISON Direct on 0800 0 857 857.

If you are willing to support your Trade Union and join a picket line then please contact your local steward, convenor or Branch Office.

**If you are reading this and are not a member of a Trade Union now is the time to join**