**Strike action**

**FAIR PAY FOR UNITE’S NHS WORKERS**

**FAQs**

On Monday 13 October members of Unite and other health unions working in the NHS in England will take part in a four-hour strike from 07:00 to 11:00 at workplaces across the country in a dispute over pay.

The action follows an industrial ballot over the employer’s refusal to implement the Pay Review Body’s recommended one per cent consolidated cost of living pay increase to all staff. The wages of NHS workers have fallen by up to 15 per cent since the coalition came to power in 2010.

**Enough is Enough**

What am I expected to do during a strike? Strike action is never taken lightly. It is a measure of the last resort when every other avenue of influence and negotiation has been exhausted.

Unite has decided to progress to strike action following an industrial ballot which showed that the majority of members rejected the government’s pay imposition.

All eligible Unite members are expected to take part in lawful industrial action called following a ballot of members. Strike action is a very serious sanction which is why we ask that every member observe the strike. Members who do not observe the strike are directly undermining the union’s bargaining power and making it harder for Unite to protect all its members.

When Unite calls a strike we ask that members do not come into work, but instead contact your rep or branch officers and volunteer to take part on the picket line. Show your employers that you are serious and united in taking action.

**What action am I being asked to take?**

On Monday 13 October 2014, we are calling on ALL Unite members to take part in a four-hour strike action between 07:00 and 11:00.

As part of the action, we are asking our members to protest outside their local hospital (or recommended meeting point). If members start work later in the day, we ask that you come in early and join the protest from 07:00 or the earliest possible time after that. For staff already in work, we ask that you stop work at 07:00 and come out and join in the local protest.

**What is action short of a strike?**

From 12:00am on Monday 13 October to 9 November members will engage in a month of industrial action short of a strike or work to rule. Members are called upon to stick to their contractual hours of 37.5 hours a week and not undertake any unpaid overtime during this period. Make sure to take full breaks and start and leave work on time.

NHS staff give on average, a day a week to the NHS in unpaid overtime, totalling £1.5 billion a year.

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Leaving your workplace on time means that you will not be available to finish running tests, or for a handover, you will not be using this time to write notes, nor will you be taking work home to complete, unless your manager has agreed to pay overtime for those hours.

Do I have to tell my employer that I am taking strike action?
No, your employer may write to you asking that you declare whether you will be taking industrial action. You are under no obligation to inform your employer in advance that you are taking part in industrial action.

Unite is legally required to give employers some statistical information about Unite members taking industrial action, but we do not give individual names.

What if I am not a member of the union? Is it too late to join and take part in the action?
No, people can join a union at any point up to and including on the day of the action and lawfully join the strike.

I don’t think I can afford to take strike action?
Unite understands the financial pressures you are facing as the cost of living soars. Taking strike action is never an easy option, but the below inflation pay rises you have received over the past few years has cost you more.

Am I breaking my contract by taking strike action?
All effective industrial action is likely to be a breach of your contract of employment. But there is a legal entitlement for workers to take part in lawful industrial action. Unite has ensured that its industrial action instructions meet the provisions of the legislation. The law protects workers from dismissal while taking part in lawful industrial action or at any time within 12 weeks of the start of the action and, depending on the circumstances, dismissal may also be unfair if it takes place later.

If your employer makes hostile comments or seeks to put pressure on you as a result of the ballot being called, then you should advise your employer that:
- you have a legal and democratic right to ballot and take action;
- the action is national and is nothing personal against them as an employer but is the only vehicle by which the trade dispute with the UCEA can be addressed and resolved.

Unite will strongly defend any members who are threatened as a result of participating in the ballot and subsequent action.

What is the law on picketing?
Peaceful picketing is entirely legal. It is perfectly lawful for pickets to approach members to communicate information to them on the merits of their dispute and to peacefully persuade them to honour the picket by abstaining from working.

Picketing should be carried out at or near an entrance or exit from a site at which the pickets work. When others, who are not in dispute, come into work or use these entrances or exits, pickets must not interfere with them. Please wear a high vis vest to show you are on duty. Placards and posters should be displayed, stating ‘OFFICIAL PICKET’.

What if I am part time?
Unite believes that any deduction must be pro-rata for part-time staff. The deduction must only be for your contracted hours. Please contact your local Unite rep if your employer attempts to deduct more than they should.

Thanks you for all your support

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