



## **National pay dispute: Guidance on action short of a strike**

This guidance provides information about action short of a strike and explains what possible action employers might take, what our reaction would be, and what experience we have had in previous disputes.

There is separate guidance provided on the national overtime ban which is a key part of the national action short of strike that we will be taking.

Unless there is a positive response from the government over our demands, following the national one day strike there will be a series of weeks of campaigning by members working in different sectors such as education, defence, finance, health and welfare and law and justice. A key component of these weeks of sectoral action will be action short of a strike. The action short of a strike you will be taking will be particularly suited to what works best in your area.

Action short of a strike is any action which falls between going on strike and doing the full job that employers are employed to do. This could include working to rule, withdrawing goodwill, not doing work outside your grade or your job description or not covering other people's work.

Any form of walk-out over a specific time, even if it is just for a short space of time, can be deemed as strike action and not action short of a strike.

So for example a walkout of all staff for a one hour lunch period at the same time may constitute strike action. Also if all members left at a specific time during normal office hours even if flexi working hours would usually allow for these individual members each to leave early for example at 4 pm, if they all left at the same time this may be classed as strike action.

Action Short of a Strike is designed to disrupt the normal business and functions in the workplace, department or area, and to show the employer is relying on people's goodwill to keep things going despite issues with resourcing brought about job cuts.

Any action short of a strike will be designed to include as many people as possible and maximise our impact. We are calling upon certain parts of the membership to take action in targeted areas, for example one or more departments, branches or workplaces.

PCS members have already taken action short of a strike as part of the national campaign to protect jobs, pay and conditions. Taking this kind of action played its part in the union successfully winning greater protection against compulsory redundancies and privatisation with a nationally agreed protocol on handling surplus staff situations and good practice guidance on privatisation. Industrial action short of a strike has also been taken in several separate areas such as in the Department of Work and

Pensions, Driving Standards Agency, Health and Safety Executive, HM Revenue and Customs and the Learning and Skills Council.

Some of the action they have taken includes asking people to:

- not do work outside their agreed job or grade
- not carry out someone else's job on the same grade
- follow the correct procedures in doing work, and not take any shortcuts
- only undertake work that staff have been properly trained to do
- not take temporary promotion
- work their contracted hours
- take proper lunch breaks and breaks from working on the computer
- not do any work in their own time
- not attend non-essential training
- insist on team meetings being held

These are just examples. Your union will be making a decision on what Action Short of a Strike is best suited for your area.

### **Pay deductions for action short of a strike**

The employer might threaten to deduct some or all of your pay, or threaten other punitive action.

The union will resist any such deduction or action and we will make it clear that any such threats being implemented is likely to have a serious impact on industrial relations.

The stronger the action and the more people involved, the more effective it will be and the less likely it is that management would consider any threat against members. It is important that industrial action short of a strike is carefully thought through and widely supported.

As cited above, members in several areas have taken industrial action short of a strike recently. Pay deductions or other punitive action has not been suggested by management in most of these areas.

One exception is the Driving Standards Agency, where management threatened that they would insist that everybody signed a letter to say that they would work normally, and that if they didn't they would be suspended without pay pending investigation.

We made it very clear that if they were to take any action against our members this would have escalated the industrial action, so management very quickly backed off.

Pressure was put on members in isolated areas with few colleagues, and this did have an impact on the effectiveness of the action in some areas. But the action as a whole was a great success and got results. This helps to demonstrate it is important to stand together against any threats from management and to support isolated colleagues.

**If you have any further queries please contact your group or regional office or the Protect Public Service Unit at PCS HQ on 020 7801 2771 or [ppsu@pcs.org.uk](mailto:ppsu@pcs.org.uk).**