

# Protect Our Pensions

## Industrial Action 30 November 2011

### Information for Members

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The build up to our day of action continues following the overwhelming YES vote in the ballot.

The recent statement in Parliament, proposing changes to the government's original plans, has yet to be translated into offers in the individual scheme specific talks. UNISON will meet to discuss offers anytime, any place, up to and beyond 30 November 2011. Our strike action will go ahead on this date because Tory anti-trade union laws dictate that we have to take action within 28 days or the ballot is invalid.

#### **What you can do**

- Join your colleagues at the March and Rally in Stafford (see enclosed poster). Family, friends and children welcome.
- Write to your local papers and MP's
- Discuss the issue with family, friends and work colleagues and ask them to support us
- Encourage non trade union members to join UNISON
- Join a picket line – contact the Branch for details

#### **Who can take Industrial Action?**

All members of UNISON who have been balloted are covered by the industrial action call and can take part in the action. Members who joined UNISON after the ballot can also take part and will be covered.

#### **Legal Protection for those taking Industrial Action**

All employees are protected from dismissal during the first 12 weeks of any lawful, balloted, official industrial action. During these 12 weeks the protection is absolute. Any dismissal, regardless of how long the employee has worked, or their age, is automatically unfair unless a tribunal decides the dismissal was not to do with the industrial action.

#### **Sick leave and Pay**

Workers who are absent on sick leave when a stoppage of work starts retain their right to statutory sick pay during the period of industrial action. If an employee reports sick on the day the action starts, the employer can be expected to make their own judgment as to whether they should be regarded as on sick leave or on strike.

#### **Emergency/Life and Limb Cover**

It is the employer's responsibility to provide appropriate emergency cover, these will be agreed at a local level and are usually determined through the risk assessment process. It is not the union's intention to put vulnerable members of the public at risk.

#### **Exemptions from Industrial Action**

It is UNISON's practice to ensure that members who would suffer long-term financial loss can work normally during industrial action.

The general categories of exemptions are:

- Employees currently in their last year of service with their employer who are members of the scheme.
- Pregnant women who have notified their employer of the expected date of birth.
- Employees whose state benefits may be affected if they take part in strike action.

Please contact the Branch for further details or see the website for up to date details.

All requests for exemptions need to come through the Branch. The Branch also needs to know the names of those provided with an exemption to ensure the Employer is notified accordingly.

There is an expectation that those people who are granted an exemption donate a day's pay to the Branch Strike Hardship Fund, this is to help support others who may need financial assistance, have no exemptions, but who are taking industrial action on your behalf.

### **Annual Leave**

UNISON does not regard anyone taking annual leave to be participating in the strike action.

### **Hardship**

The Branch has established a Branch Hardship Fund Committee to deal with cases of extreme financial hardship. Application forms will be available from the Branch Office. The Committee will adopt clearly defined criteria to be used for the assessment of financial hardship and all members will be treated fairly.

### **Employer Intimidation**

Unfortunately this can at times happen and can involve the circulation of letters, documents or the creation of rumours in an attempt to throw doubt on the legitimacy of the action. If you feel this type of pressure is being applied, this should be reported to the Branch Officers, in the first instance.

**Join the March and Rally in Stafford assembling  
at 12:30 on Wednesday 30<sup>th</sup> November 2011 at  
the White Eagle Club, Riverway, Stafford.**

**Remember - we need to make the day a success  
to Protect Our Pensions**