

Motion to: Council

16 July 2024

Subject: Protect workers' rights: refuse to operate minimum service levels and work notices.

Proposer: Councillor Hoechner

Seconder: Councillor Stonard

This Council:

1) notes:

- i) the right to strike is a fundamental freedom which is protected by international law; this can be seen in the Human Rights Act, Article 11 of the European Convention on Human Rights, the International Labour Organisation's Convention 87 and Article 6(4) of the European Social Charter;
- ii) the Strikes (Minimum Service Levels) Act 2023 sets out that when employees in relevant sectors democratically vote to strike, they can be required to work and then lawfully sacked if they don't comply;
- iii) the legislation is clear that issuing a work notice is at the discretion of an employer, as confirmed by Ministers in Parliament;
- iv) minimum service levels are not applicable for non-strike days, where service delivery has been decimated by public service cuts over the last 14 years, which suggests the Act is therefore not primarily concerned with minimum service levels as it purports;
- v) the Joint Committee on Human Rights has expressed concern that this legislation is not compatible with the UK's commitments to human rights for workers and trade union members; and
- vi) the Regulatory Policy Committee has determined that the impact assessment for this Bill was "not fit for purpose".

2) Believes

- i) the Strikes (Minimum Service Levels) Act 2023 is a direct attack on the right to strike as a fundamental freedom;
- ii) that consecutive Conservative Governments had been carrying out brutal attacks on trade unions for decades, culminating with this most recent attack on the right to strike;
- iii) that the previous Government, instead of tackling the causes of the cost-of-living crisis, had attempted to cut through the recent wave of strikes by trying to shift the blame from profiteering bosses on to ordinary workers who are exercising their right to fight for dignity and fair pay at work and in their lives;
- iv) the regime initiated by the Strikes (Minimum Service Levels) Act 2023 is draconian, unnecessary, and unworkable;
- v) the Act undermines constructive industrial relations and is likely to inflame and prolong disputes;
- vi) in addition to ethical implications, there is also a risk of legal challenges arising from issuance of work notices; and
- vii) this Act is a direct attack on the freedoms of the ordinary, hardworking residents of our City;

Council **RESOLVES** to:

- 1) Instruct the Chief Executive to consider how the Council will continue to protect the rights of its workers to strike, including by agreeing to exercise its discretion to not issue work notices; and how this should be reflected in our policies;
- 2) Continue to work constructively with our trade union colleagues on maintaining harmonious industrial relations, which includes the opposition to this draconian legislation;
- 3) Note that the Labour Government has pledged to repeal this legislation, and to write to Keir Starmer to ask that he further pledges that the Labour Government to reverse fines and other measures taken against any union under the terms of the Strikes (Minimum Service Levels) Act 2023, if any were taken; and

- 4) Ask the Leader of the Council to write to the Leadership of Norfolk County Council encouraging them to take the same steps this Council resolves to take.