

## **Right to Strike**

### **Notice of Motion**

Motion received in terms of Standing Order No 20 on 12 March, 2024, proposed by Councillor Elaine McDougall, seconded by Councillor Katy Loudon, as follows:-

“That this Council:-

(a) 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, lose their right to automatic protection from unfair dismissal, and potentially be sacked if they don’t comply;
- (iii) 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
- (iv) the Regulatory Policy Committee has determined that the impact assessment for this Bill was ‘not fit for purpose’;
- (v) that the Scottish Government has committed not to use the powers to compel workers not to strike

(b) believes:-

- (i) the Strikes (Minimum Service Levels) Act 2023 is a direct attack on the right to strike fundamental freedom;
- (ii) that consecutive Conservative Governments have been carrying out brutal attacks on trade unions for decades, culminating with this most recent attack on the right to strike;
- (iii) that this Westminster Government, instead of tackling the causes of the cost-of-living crisis, are attempting to shift the blame from profiteering bosses who have manufactured unsustainable levels of inflation, 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; and
- (vi) the issuing of a “work notice” by an employer compelling named workers to attend work under threat of dismissal with no recourse to the courts is a denial of justice;
- (vii) that this Act is a direct attack on the freedoms of the ordinary, hardworking residents of South Lanarkshire; and

(c) resolves:-

- (i) to direct Council officers not to use powers in this Act to compel workers, who would otherwise be on strike, to work, subject to the Council’s overarching legal duties;
- (ii) to work with local unions to oppose this legislation together as effectively as possible.