

9 December 2023

Special Congress: Minimum Service Levels a “grotesque” attack on members

At a special TUC congress today (9), PCS vowed to resist minimum service levels which limited unions' right to take strike action.

In the king's speech on 7 November 2023, the government promised to rush through laws which would [effectively criminalise strike action for thousands of our Home Office members](#), including border security staff and an unknown number of workers in the Passport Office.

Even though the UK already has the most restrictive trade union laws in Western Europe, The Minimum Service Levels Act would limit the impact of a strike by forcing workers to maintain a level of service through the use of minimum service levels (MSLs).

The laws say that when workers lawfully vote to strike in certain sectors, they could be forced to attend work – and sacked if they do not comply.

PCS at special congress

After a welcome speech from the TUC President Matt Wrack, a panel of workers directly impacted by MSL took place.

Pete Wright, our Home Office group vice president, gave the perspective of Border Force members, highlighting the effectiveness of recent strike action.

He told the panel that we “have got to fight [minimum service levels]”.

For 2022-23, he said, “our most experienced staff working at the border received a consolidated pay rise of £259 a year in the midst of a cost of living crisis” after receiving a pay rise of zero the year prior.

“After taking targeted, sustained action at both airports and maritime ports, our members received an average pay rise of 8% and a £1,500 one off

nonconsolidated payment,” he said. “We have no doubt that the shift to 8% came about as a result of our members taking industrial action.

He called minimum service levels a “direct attack on our fundamental human right to withdraw labour”.

As part of its plans to mobilise against the legislation, the TUC has promised to give its full support to a PCS-organised event in Cheltenham in 2024 to commemorate the 40th anniversary of the ban on trade union membership at GCHQ.

“Unprecedented assault”

PCS President Fran Heathcote opened her contribution to the debate by reminding this historic conference of the relevance of the GCHQ ban to recent attacks on trade union freedoms.

These “14 brave workers stood firm and refused to relinquish this fundamental human right” to trade union membership. And in resisting this attack, “their defiance cost them their jobs, and what followed was one of the longest and most high-profile disputes in our movement’s history”.

“And congress, four decades on, here we are again: a rotten Tory government taking a sledgehammer to our members’ rights,” she said of the minimum service levels laws. “It’s an unprecedented assault and we’ve got to fight it with everything we’ve got.”

She said that the legislation “has nothing to do with preventing disruption or protecting the services that the public relies on”.

“This legislation is about one thing and one thing only: restricting the right to strike and our members’ ability to fight back against low pay and bad bosses,” she said. “If they were serious about heading off strike action, they could start by immediately giving our members a fair pay rise.”

She noted that PCS members in the Border Force are “bracing themselves for what are some of the most severe restrictions of the lot”, with three in four Border Force workers expected to be prevented from going on strike.

She called this attempt to punish members for fighting for a fair wage “simply grotesque” and said these were “unprecedented times for our movement and that requires us to be radical, bold and innovative”.

“We need to discuss and share tactics to beat this legislation,” she concluded.
“Just as we showed at GCHQ all them years ago, our strength is in our collective.”

The meeting at Congress House in London was called to discuss ways of resisting and mobilising against the legislation.

PCS has been urging the public to put pressure on their MPs into opposing these anti-strike restrictions.

Several MPs have already slammed these proposed laws as a political attack on the democratic right to withdraw labour, as virtually unworkable in practice, and as potential breaches of international law.

Please check back on the PCS website next week for a report on the special congress and details about the anniversary event of the GCHQ union ban.