

# Defending Trade Union Rights

PCS is campaigning to protect the right to strike and has a history of defending trade union rights, including the right to join a trade union.

## **Protecting the right to strike**

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 proposed laws say that when workers lawfully vote to strike in certain sectors, including health, education, transport and border security, they could be forced to attend work – and sacked if they do not comply.

As our [Home Office group vice-president points out in his blog](#), our members would have been prevented from taking strike action and winning significant concessions if these laws had been in place in 2023.

These anti-strike laws are also an authoritarian crackdown on the [human right to take industrial action](#).

## **Joint campaigning**

At its [Special Congress on 9 December on how to challenge this anti-trade union law](#), the TUC voted unanimously to resist and mobilise against Minimum Service Levels (MSLs), to call an urgent demonstration and provide support in the event a union or worker is sanctioned in relation to a work notice, and to mount legal challenges.

Congress also vowed to hold Labour to its commitment to repeal this legislation within its first 100 days of office and to call on all employers and public bodies to oppose this legislation - naming and shaming any employer who deploys a work

notice as anti-union and anti-worker.

PCS is also urging the public to pressure their MPs into opposing these anti-strike restrictions.

### **Judicial review**

At the march and rally in Cheltenham on 27 January to mark the 40th anniversary of the ban on trade union membership at GCHQ, PCS's then general secretary Mark Serwotka announced that [PCS will use the Human Rights Act to challenge the Strikes \(Minimum Service Levels\) Act 2023](#) on the grounds that the proposed strike restrictions contravene the right to strike enshrined in Article 11 of the European Convention on Human Rights.

### **History of defending trade union rights**

[Follow our timeline](#) to learn about the GCHQ union ban, which is relevant to our own resistance today to continuous attacks on trade union rights.