

# STRIKE ACTION FAQs

**Q. What effect will going on strike have on my service related terms and conditions?**

Going on strike will not result in a breach in an individual's continuity of employment ( *section 216 Employment Rights Act*). Neither will being locked out from work. However, the period on strike will not add to an individual's length of service.

**Q. Could I be sacked for taking industrial action?**

Because the industrial action is properly organized and legal it would be unlawful for the employer to do this. This right applies from day one in the job. We will intervene if we hear of any examples of members being victimized as a result of joining in the industrial action should there be any.

**Q. I'm on probation. What are my rights?**

Your rights as a trade union member are the same as a permanent employee and are in place from day one in the job. We will act if we hear of any victimization of our members on probation for taking industrial action.

**Q. I support the industrial action; will it go on my employment record? Can it be held against me?**

Because a strike affects your pension and your pay, it will be recorded, but that information should not be used to victimize you. We will intervene if we hear of any examples of members being victimized as a result of joining in any official industrial action.

**Q. Can I book annual leave to cover a period of industrial action?**

Leave can be refused under a 'business needs' argument. Some managers block annual leave during

industrial action, although long-standing leave arrangements are usually allowed. If they wish to cancel your leave, your employer must give notice of the same period of time as the length of the leave that was booked, under the Working Time Regulations.

**Q. If I had already booked leave before industrial action was announced. Can I cancel that leave in order to officially take part?**

You might be allowed to cancel leave. Alternatively you can support any industrial action without cancelling your leave (because it is up to you what you do in your own time, as long as it isn't illegal), and you could then join any picket lines and take part in other activities in the day. Contact your branch or the national office for further information.

**Q. What happens if I'm off sick during the period of the industrial action? Will I get sick pay?**

Provided your sickness is genuine, yes. The employer might require you to provide a doctor's certificate, but it would be reasonable for them to reimburse you if this causes you expense.

**Q. What about if I become sick on the day?**

If you had already started taking industrial action, you would only be entitled to statutory sick pay, but once the industrial action days have ended you would become eligible for contractual sick pay. If you are unable to return to work the next day you need to follow the normal sickness procedures on reporting sick, self-certification and so on.

**PTO—Continued...**

**BECAUSE  
WE'RE WORTH  
MORE!**

It's a HUGE decision for the Union to ask members to strike and not a decision we take lightly - but the double standards being operated by senior managers is truly shocking.

They have accepted inflation busting pay rises plus massive bonus but offer you a pay cut in real terms. BT has doubled its predicted free cash flow to £1.9bn - so they can MORE than afford it.



The communications union



## FAQs Continued...

**Q. I am part time I do not have to work on the strike days anyway.**

You will not have your pay deducted. We would hope that you could support the strike by solidarity action such as writing to your MP, helping on a picket line etc. -- contact your branch or head office for further information.

**Q. I am on a fixed term contract. Does this affect me taking part in industrial action?**

Your rights are the same as those of permanent employees. You are protected against dismissal for taking industrial action from day one in the job. ('Dismissal' includes terminating a fixed term contract and so-called 'casuals' are fixed term employees.) The law also says that employees on fixed term contracts must be treated no less favorably than permanent employees.

**Q. What can my employer do? Can my employer take names of people going on strike? Do I have to phone in?**

The employer can make contingency plans and try to deliver a service. In order to do so they can try to establish in advance who will be staying away on industrial action on the day of the strike. They must do this in a way that is not intimidatory. It would not be reasonable to expect you to phone in.

**Q. I can't afford to lose pay.**

We realize that it is hard on people to lose income. Joining in industrial action that may include strike, will mean losing pay, but if we do not fight back we could all stand to lose a lot more. The employer is giving us no alternative. We need to send a message to them that we will defend our rights to be paid what we have earned now and in the future.

**Q. As a union member, do I have to strike?**

We urge every member to accept the democratic decision of CWU members in a legal, democratic and free vote. The more people who participate the more effective the strike will be. If you do not take action, you will be reducing the effectiveness of the union and supporting the employer. Every member should support their colleagues and the strike.

**Q. I put in an application to join CWU but I don't have anything back to prove I am a member. Can I still take part in the strike?**

Yes you can take part. You are a member of CWU from the moment you complete and sign your application form. We have seen a real increase in people joining us because of their concerns about this dispute, and our membership department is processing application forms as quickly as they can.

**Q. What is a picket line?**

Every member is asked to set up or support their workplace picket line – every workplace should have one. Picket lines are organized to help make the industrial action more effective and they are legal. A picket line is where union members in a trade dispute with their employer gather at or near their workplace. They do so to persuade other staff from going into work that day and to support the strike. Pickets should stand in a prominent position and try to stop every member of staff entering the building to work during a strike for a peaceful discussion about the dispute. They will give out leaflets to people entering the building and members of the public, or gather signatures on a petition.

**Q. I am not a member but would like to support the strike. Can I go on the picket line? Can my employer sack me for taking part in the strike?**

You need to join the union to receive full support for taking strike action. Contact your CWU representative to find out how to join and support the strike – we will strive for most pickets to have membership forms. The more members we have, the greater our influence. .

**Q. I am one of only a handful of members in my workplace and there are not enough of us to make a picket line effective. What can I do?**

You could still hold a picket line and distribute information, CWU application forms and leaflets. If you do not feel able to picket, you should still strike and instead of going to work, get involved in other ways. Look out for information on rallies or other activities taking place near where you live or work. Details will be available from your local branch, either verbally or via the website etc.

# BECAUSE WE'RE WORTH MORE!

### FOR FURTHER INFORMATION

- \* **JOIN THE CWU FACEBOOK SITE (SEARCH 'BT PAY')**
- \* **GET ON THE LOCAL MAILING LISTS BY GIVING US YOUR PERSONAL EMAIL ADDRESS and MOBILE PHONE NUMBER**
- \* **VISIT [WWW.CWU.ORG](http://WWW.CWU.ORG) FOR THE LATEST NEWS**
- \* **SPEAK TO YOUR LOCAL REPS**