



**GUIDANCE TO UNITE MEMBERS
WHO ARE NOT DIRECTLY INVOLVED IN
STRIKE ACTION
BUT APPROACH PICKET LINES**

Industrial action location: _____

Commencement Date/Time of Industrial Action: _____

Completion Date/Time of Industrial Action: _____

THIS IS AN OFFICIAL DISPUTE

During the course of your working day you may come into contact with either a picket line at a place of work or an event involving our members in the community.

This advice is designed to give you the latest information on what you can do when approaching a picket.

ADVICE TO THOSE NOT IN DISPUTE

Given the very complex legal position workers and unions currently find themselves in, we advise the following to our members who are not in dispute themselves, but may come into direct contact with a picket line during the course of their work;

- 1.** It is perfectly lawful for pickets to approach workers. It is perfectly lawful for these pickets to ask workers to stop, to communicate information to them on the merits of their dispute and to peacefully persuade them to honour the picket by abstaining from working.
- 2.** If Unite members approach any picket line they should advise the pickets that support is given to the dispute by Unite and they will not undertake any work outside of their normal contractual duties, nor will they take over the work normally conducted by those workers in dispute. (If your employer demands that you do take over the work of those in dispute the union will lawfully resist such demands and could ballot our members for industrial action).
- 3.** If members approach or are approached by pickets and on assessing the situation feel insecure, threatened in any way or indeed believe that their presence or continued operation in the area could endanger either themselves or others, they have the right to remove themselves from the situation.

4. If it is believed that this is the only available course of action members should leave the area and contact their employer for further guidance. If contact cannot be made with their employer and they are not at their place of work they should return to their place of work, unless advised otherwise.
5. You have a statutory duty under the Health and Safety at Work Act (1974), Section 7, not to endanger yourself or others during the course of your work. This decision is one that can only be made by yourself as the individual concerned, having assessed the situation as you see it on the ground. As above, if you feel your continued presence is a danger to either yourself or others you should remove yourself from the area and contact your employer for further guidance.
6. Your employer also has a statutory responsibility to assess all risks to both yourself as an employee and to others who may be affected by or arising from their operations. This duty is found within the Management of Health and Safety at Work Regulations (1992). This risk assessment must be up to date and relevant to the situation, in writing and provided to you on request prior to you commencing your duties. The industrial action taking place is likely to be significant. This change to normal circumstances would warrant a review of any existing risk assessment and specific guidance from your employer on actions to take should you, or others affected by your work, be at risk as a consequence of your work activity.