INDUSTRIAL ACTION FAQs

13<sup>th</sup> OCTOBER STRIKE ACTION, AND
14<sup>th</sup> – 17<sup>th</sup> OCTOBER ‘SHORT OF STRIKE’ ACTION 2014
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GENERAL INFO: THE WHAT, WHY, WHO AND WHEN

1. What’s the strike for, and when is it happening?

NHS workers in England have voted in favour of striking over pay.

A number of unions, including UNISON, will be asking members working in the NHS in England to go on strike on Monday, 13th October from 7am-11am and will be taking action ‘short of a strike’ action from the 14th-17th October.

NOTE: Strike action is full industrial action. Action ‘short of strike’ means members will work as normal but are being asked by their union not to take part in overtime. You can read more about the ‘short of strike’ action on page 11.

2. Am I able to take part?

Everyone in the Trust on an Agenda for change contract can take part if they choose, because the dispute around pay applies to both union and non-union members.

3. I’m a union member but I don’t want to take part, is that okay?

Yes, it’s your right to choose whether you want to take industrial action or not. Your union membership won’t be affected.

4. Will my pay be affected if I strike?

That depends. If you strike completely for the four hour period on 13th October, i.e. do not come into work or protest from a picket line without responding to incidents, you will not be paid for those hours.

Members do have the option however of working under exemptions during the strike period; this means you will be based from the picket line and only undertake certain duties (agreed in advance with UNISON), to make sure that most seriously ill patients still get the care they need. If you respond under exemptions you will be paid as normal for the full strike period.

You can download the full list of agreed exemptions here.

5. Do I have to tell the Trust or my manager before the day if I plan to strike?

No, you don’t have to tell the Trust if you’re going to strike until the morning of the 13th, but you can if you want to.
Your manager is allowed to ask you if you intend to strike, but there’s no obligation for you to tell them.

6. I’m coming under pressure to take part/not take part. What should I do?

The decision to strike is yours alone and you should be able to make it freely, without pressure from anyone. Any attempt to influence your decision by someone else should be drawn to the attention of your line manager and/or a union representative.

EXEMPTIONS

7. What does working under exemptions mean?

This means you will be based from the picket line and only undertake certain duties (agreed in advance with UNISON), to make sure that most seriously ill patients still get the care they need.

8. Where can I read the agreed exemptions for my role?

A full exemption list can be [downloaded here](#). The main points include:

- Call takers in EOC will only be asked to answer 999 calls, i.e. not the urgent lines.
- Emergency responses from the picket line will only be deployed to Red1 and Red2 calls, and HOT1 back-up requests. Resources won’t be deployed to uncoded calls (with the exception of predicted Red1s). Once an incident is complete, the crew will be returned to their reporting base/picket line, but can be assigned to a confirmed R1 call whilst in transit if they are the nearest resource.
- Air operations and critical care teams will respond to all coded incidents where their specialist services are requested.
- All staff employed by the Trust will return to active duty if a major incident is declared.
- Staff working in PTS (operationally and control) will undertake duties for the following vulnerable patient groups only; patients undertaking renal dialysis, critical care and oncology patients requiring urgent assessment/treatment. Staff will not be asked to take any bookings or transport any routine cases such as outpatient appointments, hospital transfers or discharges.
- ANTS drivers to undertake transfers for patients considered time sensitive.

The Trust will commit to utilising all non-striking resources first, before asking crews to deploy from the picket line.
9. If I choose to respond under exemptions for the strike period, will I be paid?

Yes.

10. I’m concerned a patient might receive a bad service because of the exemption rules, what considerations have been taken?

The Trust and Staffside are committed to ensuring patient safety and understand there may be cases where the necessary patient response falls outside the exemptions. Any such incident will be discussed with senior Staffside in EOC on the day of action on a case by case basis, and the agreed response deployed to the patient as needed.

ON THE DAY

11. What will the set up between the Trust and Staffside be on the day?

A member of Staffside will be in each of the three EOCs throughout the four hour period as a liaison point between those on strike and the Trust. The Trust will also be running a Gold cell and three Silver cells on the day.

12. On the day, who should I tell if I’m on strike/not on strike?

If you’re not on strike, please attend work and book on (if appropriate) as normal.

If you don’t report for duty as expected and you haven’t declared another reason why you’re off, it will be assumed that you are on strike. If your shift overlaps with the time of the strike, you’ll be asked at the start of your shift whether or not you intend to take part so the Trust can ensure you are stood down accordingly at the appropriate time.

If you’re on strike but are working under the agreed exemptions:

- **Emergency ops**: If you work on a main station, a manager will be present at the start of your shift, who will ask you if you are intending to strike, and if you are whether you will be working under exemptions. The manager will then notify EOC and make sure you have the vehicle and radios you need as appropriate. If you work on a satellite station, we ask that you contact EOC to declare your intentions at start of your shift.
- **EOC**: please declare your intentions to the EOC duty manager at the start of your shift.
- **Non-emergency services**: please contact your day control and declare your intentions at the start of your shift.
- **Corporate support**: please contact your line manager and declare your intentions at the start of your shift.
If you’re on a planned rest day on the 13th, you don’t have to report to anyone whether you’re on strike or not.

If you are scheduled to be on overtime on that day and you will no longer be doing the shift as you’re taking action, both the Trust and Unison expect you to let the Trust know out of courtesy. Please contact EOC or your manager and declare your intentions at the start of your shift.

13. Should I wear uniform?

If you are taking part in the strike but are responding under the agreed exemptions, then you must wear uniform as usual.

If you will be working as usual once the strike action ends, i.e. from 11am onwards on the 13th, then you should wear uniform.

If you are not working at all during that day, you should not wear uniform when taking part.

14. What happens if I want to strike and I’m on a shift that runs over into the strike action, e.g. 8pm on the 12th to 8am on the 13th?

You should notify EOC of your intention to strike at the start of your shift. You will then work ‘normally’ up until the strike starts, so in this example until 6.59am.

Similarly, if you were due to be on a 7am-7pm day shift you would notify EOC of your intentions, strike, and be ready to return to work as normal at 11am.

15. What if I want to strike but I’m responding to a patient when the strike starts?

After completing the call you're assigned to, you should advise EOC that you wish to commence industrial action and that you wish to return to base.

If you’re on an ambulance, please advise EOC whether it is one or both members of the crew.

If only one of you wishes to strike, the vehicle will remain available to EOC for normal dispatch and will be returned to its base station as soon as is practical. In this scenario the striking member of staff may make their own decision to leave the vehicle and facilitate their own return to base.

16. What are the rules around picketing/picket lines at stations and offices?

You have the right to be on the public land by your workplace (but not to obstruct it) to peacefully try and persuade anybody who is willing to listen.
If you want to take part on a picket line, you should do so at your normal place of work, taking into account the health and safety of yourself and others and being respectful of those who are choosing to work. If you work on ‘relief’ you may picket from any station from which you work.

There is no limit to the number of staff who can support the picket, but the Trust and Unison expects that any member of staff or the public should be spoken to in a polite and courteous manner.

Peaceful picketing is welcome on any station, and UNISON has a number of ready-made posters and placards available for staff - please contact steve.imrie@eeas-unison.com.

17. What if I come under pressure not to cross a picket line at another organisation, e.g. at a hospital when I’m trying to hand over a patient?

Fundamentally, the same rules about peaceful picketing will apply, but if you have any problems or concerns please contact EOC. It’s likely that there will be picket lines at many of the acutes in our region which should be respected; all have been informed of the ambulance service exemptions that we will be working to.

18. If I choose to respond from the picket line, i.e. work under exemptions, where should I park Trust vehicles?

Vehicles should be parked at an appropriate place on the Trust premises. The location should allow staff to respond quickly from the picket line.

Please leave space on Trust premises for colleagues who are working. If you are striking completely, please park your private vehicle in a way that does not prevent or obstruct staff that are accessing the station.

19. If I take a patient to hospital and there’s no one there to receive them, what should I do?

Please contact EOC immediately who will liaise with one of the Silver cells and advise you accordingly.

20. Can the Trust redeploy someone during the strike period to cover striking staff?

Yes, if either:

a) the redeployed work falls within their contracts of employment and job description
b) they agree to an ad-hoc redeployment.

21. What should I do if I’m approached by a member of the media to talk about the strike?
You’re not permitted to discuss sensitive information about Trust business with a member of the press or any third party. Please direct any queries to the communications team, who can be reached at communications@eastamb.nhs.uk or on 07500 121368, or Unison related enquiries to Unison Branch Secretary Fraer Stevenson on 07900 808563.

**PAY**

22. Will my pay be affected if I strike?

That depends. If you strike completely for the four hour period on 13th October, i.e. do not come into work or protest from a picket line without responding to incidents, you will not be paid for those hours.

Members do however have the option of working under exemptions during the strike period; this means you will be based from the picket line and only respond to certain incidents (agreed in advance with UNISON), if you are the nearest resource, to make sure that most seriously ill patients still get the care they need. If you respond under exemptions you will be paid as normal for the full strike period.

You can download a copy of the [agreed exemptions here](#).

23. If I take part in the full industrial action, when will it be taken out of my salary?

November 2014.

24. How much will I lose?

Pay will be deducted on an ‘hour for hour’ basis, i.e. if you strike for the full four hours, you will lose four hours of pay.

This is with the exception of those who choose to respond under exemptions, who will be paid as normal.

25. If my shift time is changed on that day will I still be paid the usual ‘short notice shift change’?

Yes. It only doesn’t apply to shifts where staff have agreed to work overtime, or if staff have swapped shifts with someone else.
26. I have a second job; I’m taking part in the strike action and won’t be undertaking any work for the Trust – can I work for my secondary employer?

No. You may not undertake work for anyone else if you are taking part in the strike action. This includes work for private ambulance services.

**LEAVE: SICK, ANNUAL, SPECIAL AND MATERNITY**

27. What should I do if I’m sick on the day of the strike?

If you’re unwell on the day of the strike, you need to contact DayOne on 0330 6600 365 as you normally would.

If you’re not well enough to undertake your duties and call in sick, but feel well enough to go to a picket line, you may do so.

28. I have annual leave booked on 13th October, will this be honoured?

Yes, annual leave that has already been approved for the strike day (13th) and ‘action short of strike’ days (14th-17th) will be honoured. However annual leave requests made now for that period are unlikely to be approved unless there are exceptional circumstances, but you should speak to your line manager about any requests you might have.

29. What if I need to request special or carers leave?

Any requests to take special or carers leave should be made in the usual way.

The Trust recognises that some staff will experience genuine difficulties with childcare and other disruption to their domestic arrangements, caused by industrial action in other public services. Staff who anticipate such difficulties should discuss them with their line manager, and make every effort to make alternative arrangements so that they can attend work.

30. Will employees on maternity leave be asked if they are willing to work?

It’s not thought that will be necessary at this stage.

31. I have time off for public duties, e.g. jury service. Is this still okay?

Time off for public duties which has already been agreed will be honoured.
**SHORT OF STRIKE ACTION FROM 14TH – 17TH OCTOBER**

32. What does short of strike action mean, and when is it happening?

Short of strike action is the possible disruption to a service’s business, without actually striking. This action is taking place from 12.01am on Tuesday, 14th October to 11.59pm on Friday, 17th October.

33. What are members being asked to do during this timeframe?

Ambulance service unions have asked members to complete no voluntary paid or unpaid overtime during the period.

34. What do you mean by voluntary unpaid overtime?

This is where you work above your normal contracted hours. Most ambulance staff are contracted for 37.5 hours per week and Unison is asking members to work to these hours only.

35. What do you mean by voluntary paid overtime?

This is undertaking extra overtime shifts above your normal contracted hours. Some people work contractual overtime, which is not voluntary, and this is not included in the ‘action short of strike’ action.

36. What if I’m taking part in the short of strike action, but get an emergency just before my shift ends?

This is unavoidable and members should complete the call in line with normal working arrangements and you should be paid for shift overruns as per your local policy. This applies to both control and operational staff.

37. I work in the patient transport service, how does this work for me?

The Trust should organise planned work in a way in which you can complete it within your contracted hours. If, due to unforeseen circumstances, you are responsible for a patient when your shift is due to finish you should complete the journey and claim the normal overtime.
38. I work in a fleet, admin or support role, how does this work for me?

Members are being asked to work their contracted hours (normally 37.5 hours a week).