



how we vote to take (or not take) industrial action. It is not right to say to people that you have a democratic voice but at the same time also say that we will listen more to those that do not use their voice at all - i.e. those that choose to abstain from the democratic process. We would not do that in a Government election and we should not do it in a dispute.

The consultations highlight the impact of those people impacted by disputes ' who have no association with the dispute'. That is deliberately misleading. The dispute is with an employer. It is the employer - the provider of services that is responsible for delivering their service and ensuring that in all the decisions they make they have the best interest of their service users / customers in mind. The public involvement in a dispute is linked to whoever provides the service they use and who they pay for that service. That is who the public should be angry at in the event of a dispute - not the employee exerting their rights. An employee who may have been in dispute with an intransigent employer for many months and has now come to the point that all they can do is undertake industrial action with all the risks it contains for them.

It is the proposal to allow employers to bring in agency workers to break a dispute that is the most pernicious of all the proposals. At one stroke that single act cuts away any semblance that the law recognises that there is an imbalance in the employee / employer relationship that needs correcting through the provision of immunities. Allowing employers to bring in agency workers nullifies the whole process of collective bargaining. From now on employers need only 'sit on their hands' and use their economic advantage to ride out any genuine conflict in their workforce. Bringing in agency workers will only extend disputes, it will do nothing towards the key issue of reaching resolution.

Despite the rhetoric, trade unions are democratic organisations made up of people coming together to protect and further their interests. In the case of RCN members they also join to be part of an organisation that champions patients, improves care and furthers nursing research. Union members are intelligent people they are able to form opinions and decide courses of action for themselves. They support each other in matters that affect themselves at work.

Questions from the consultation.

**1) Do you agree these are the key impacts industrial action would have in these sectors?**

No.

These comments are in respect of Health.

The consultation does not make clear at any point that decisions about the nature of industrial action are not random. There are many checks and balances that go to make up



**Q8) Please give examples of ancillary workers in the six sectors discussed that you think should be subject to the 40% important public services threshold.**