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c2c annual leave dispute

TSSA guidance on picketing

This guidance is issued by TSSA to its members in Retail over the annual leave dispute. It aims to assist our members in staging well organised and lawful picketing so as to maximise the impact of the proposed strike.

What is a picket line?

A picket line is where union members in dispute with their employer gather at or near their workplace. Picket lines are formed to make a strike action more effective. The purpose of picketing is to peacefully persuade colleagues from going into work on a strike day, in other words to support the strike and make it as effective as possible. It is also an opportunity to give out information about the dispute such as leaflets or to gather related information such as signatures on a petition.

While strictly there is no legal “right to picket”, peaceful picketing has long been recognised as a lawful activity. Reps should ensure we have effective pickets, in line with these guidelines, at each of the designated stations.

A picket line can be effective even if only a small number of employees are working out of a particular workplace. In fact in a smaller workplace you will know everyone and be able to have a one-to-one discussion with anyone who is considering crossing the picket line.

Who and where to picket?

In this case this will, for most of our members be, the entrance to the station. Clearly we want to talk to everyone involved in this dispute (Retail staff). However, the law does not allow us to encourage workers not involved in the dispute to take ‘secondary action’ in support of the dispute. This means that we cannot ask members who are not involved in the dispute to take action.



Organisation of the picket

It is important that picketing is organised. Please ask TSSA members now to participate in the picket. A rota should be drawn up to co-ordinate the action. Everyone on the rota should have a copy of this guidance, and should understand that our purpose in picketing is to persuade colleagues who are undecided that they should support our strike and not cross our picket line.

Picket duty should begin not less than half an hour before each shift and should aim to cover at least the first quarter of each shift. There will need to be pickets organised for each shift during the 24 hour period.

Each picket line should appoint an organiser, whose function is to:

- Ensure that there is an official placard of display
- Liase with the police if required.

As the RMT union are co-ordinating strike action with us, there is a very strong case to hold joint picket lines. Please co-ordinate with RMT members on your station to agree timing and location of picket lines.

You may wish to organise in advance food and drink supplies by possibly setting up an order with a local café or bringing your own refreshments.

Number of pickets

The Government's Code of Practice on Picketing says "pickets and their organisers should ensure that in general terms the number of pickets does not exceed six at any entrance to a workplace; frequently a smaller number will be appropriate." This figure is only advisory and in practice the police will seldom be concerned about numbers on a peaceful picket.

Approaching people

Placards and posters should be displayed stating 'OFFICIAL STRIKE' (TSSA Head Office will be distributing these when the time comes). Any member, work colleague, or member of the public who approaches the picket line should be spoken to, given a leaflet and the reason for the strike explained to them in a polite and courteous manner.

The picket does not have the power under the law to require people to stop or to compel them to listen or to make them do what the pickets ask them to do. A person who decides to cross a picket line must be allowed to do so. Those workers who wish to cross the picket line should be asked not to undertake any other duties or responsibilities other than their own.

It is an offence to use threatening, abusive or insulting words or behaviour or display any insulting leaflets or posters or other material.

Please take the opportunity to talk to members of the general public and explain the reasons for the industrial action.



Police

It may be advisable to notify the police in order to establish good relations. You can speak to your local Borough Police Division telling them where you intend to picket and asking what further information they need (your reps will do this).

Pickets should co-operate with the police in any requests they make to keep the streets free from obstruction, etc.

Any agreed arrangements with the police, for example, relating to the position of where the pickets should stand or parade, and to behaviour, showing of placards, use of loud speakers should be scrupulously adhered to.

In the unlikely event that a member is arrested this should be reported to the TSSA helpdesk (0800 328 2673) immediately in order that any necessary representations can be made to the police. Witnesses to an arrest should make a written note of the circumstances.

Reporting back

Once the strike is over, please send photographs and a brief report to Jessie Fenn (fennj@tssa.org.uk). The report should include:

- The number of people on the picket,
- Number of workers who supported the strike,
- Numbers who crossed the line,
- The impact of the strike, and
- Anything else you believe is relevant.

We are stronger together.

Jessie Fenn
Regional Organiser

