

RCN Strike Benefit Policy

Introduction:

1. Industrial action is always the last resort, bringing with it – to some degree – loss of earnings and job instability. However it is a legitimate strategy when other approaches have been exhausted, and the RCN is committed to supporting its members to exercise their right to take lawful industrial action when required.
2. An employer is entitled to withhold payment for each day of strike action from those deemed to be on strike. As such the RCN will make strike benefit available to those eligible members who require it. However, this benefit is entirely discretionary and the RCN reserves the right to amend or withdraw it in accordance with this policy and Appendix A attached.
3. Strike benefit is not intended to replace a member's expected daily earnings but is a supportive contribution to reduce the impact of losing pay due to taking part in strike action.

Basic rules:

4. Strike benefit will be paid to those members entitled to receive it in respect of authorised action once the action has taken place.
5. Branches may not make separate arrangements for the payment of dispute benefit.
6. The Inland Revenue does not regard strike payments as taxable earnings, so long as it doesn't exceed normal take-home pay. Any set benefits, such as a child benefit, should not be affected by strike pay. However, any income related payments will be affected as strike pay will be treated as income for these purposes and so these social payments may be affected.

Rate of strike benefit

7. The rate of strike benefit is set out in detail in Appendix A.
8. Appendix A will be reviewed on an annual basis by the Trade Union Committee.

9. The Committee has the right to recommend to RCN Council to pay a higher amount – up to full take home pay – depending on the circumstances of the dispute. Full take home pay can only be granted in exceptional cases.
10. On very rare occasions, employers reduce annual leave entitlements pro rata to the length of the dispute. The member may make an application for payment for the lost annual leave, but only in disputes where full take home pay has been agreed.
11. The Committee also has the right to pay a lesser amount than standard strike benefit or no strike benefit at all when a large action would exhaust the industrial action fund.

Qualification for strike benefit

12. Members will be eligible to receive strike benefit after they have completed 2 days of strike action. A day is defined as 7.5 or more hours for full time staff, and for part time staff, the member's contractual rostered hours for the day strike action is called.
13. If a member goes on strike for more than 7.5 hours in one 24 hour period they will only be entitled to receive one day's strike benefit payable from day 2 of strike action
14. If a member who works full time goes on strike for fewer than 15 (i.e. 2 x 7.5 hour days) hours, strike benefit will only be payable upon completion of episodes of strike action that accumulate to 15 hours or more in duration, within a period of 3 months. Further strike benefit will apply when further episodes of strike action total 15 hours or more.
15. If a member who works part time goes on strike for fewer than their contractual rostered hours for that day, strike benefit will only be payable upon completion of episodes of strike action that accumulate to their contractual rostered hours for the days in question, within a period of 3 months. Further strike benefit will apply when further episodes of strike action total their contractual rostered hours.
16. Days on strike can only be added together for the same dispute. RCN Council will, on the recommendation of the Trade Union Committee, make the final decision whether strike benefit should be paid.
17. The following RCN members will be eligible to receive strike benefit if they satisfy the criteria in paragraphs 12 to 15 above and:



- a) **Are assigned to work or to provide emergency cover and will not be paid by the employer for all or part of the strike day.**
- b) **Are scheduled to work, because of their roster, on a strike day and will have pay deducted by their employer.**
- c) **Are not absent on any form of leave during industrial action.**
- d) Are not student members, unless they are rostered to work as a nursing support worker on the day of strike action.
- e) Are not retired from all employment.
- f) Are up to date in their membership subscriptions in the correct category.
- g) Are taking lawful authorised industrial action.

Payment of strike benefit

18. Strike benefit will be managed centrally by RCN membership services who will verify membership and process payments.
19. An individual's participation in strike action will be confirmed by the country/regional/Board office *[this is will be based on the ballot lists]*
20. Application forms will be sent to members at the time of balloting. Application forms will also be available on the RCN website.
21. Payment can be made when an individual's membership and participation in industrial action is confirmed.
22. Members will be required to evidence their loss by submitting to RCN membership services a wage slip stating a deduction from salary by the employer of 15 hours or more on the basis of strike action.
23. Members who work part time will need to also provide evidence of their contractual rostered working hours for the day(s) in question if less than 15 hours.

Membership Support Services

22. As an RCN member you can get free confidential advice and support through our member support services. This includes a welfare service which provides expert support and advice on benefits, tax credits, debit and housing, peer support on health and other issues, counselling and advice and support if you are experiencing circumstances that impact on your finances. To access these services call 0345 772 6100 to make an appointment



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APPENDIX A TO STRIKE BENEFIT POLICY

Rate of strike benefit

1. The standard strike benefit is £45.00 per day, payable entirely at the RCN's discretion.
2. The standard daily rate of strike benefit shall be reviewed annually by the Trade Union Committee and any necessary recommendations made to RCN Council.
3. In instances where insufficient funds are available in the strike benefit fund, the Trade Union Committee shall have the power to recommend to RCN Council not to pay strike benefit, or to pay at a lower rate.
4. The Trade Union Committee may recommend to RCN Council to pay strike benefit above the level of national strike benefit rate in exceptional circumstances.

Policy approved by Council 18 September 2019