

What is meant by industrial action?

Industrial action is formal action that members engage in during a period of dispute. In Northern Ireland 96% of RCN members voted to participate in industrial action. Industrial action is often referred to as action short of strike action. There are many forms of industrial action that RCN members will be instructed to participate in. The Department of Health and employers will be notified at least seven days prior to the planned industrial action. On the day of action RCN members should report for duty as usual. However, on these days, they should not participate in or carry out any of the duties listed below. Members will be instructed to focus upon direct patient care only, and not to participate in any actions that may be perceived as undermining the industrial action. RCN officials and representatives will be available throughout the day to respond to any questions or queries. Details of how to contact an official member of RCN Northern Ireland on these dates is listed at the back of the guidance.

What is meant by industrial action short of strike?

Working to your contract of employment

This means working exactly to the requirements of your contract of employment provided this does not compromise patient care. Members will be asked to focus upon delivering direct patient care. If members are not employed in direct patient care roles, they should work to their contract of employment.

In practice, this means doing the minimum required, taking your breaks, refusing to undertake additional hours, or undertake any voluntary duties.

The forms of action short of a strike which the RCN is asking members to take are:

No bank or overtime on days of industrial action

Members are asked to decline any requests for bank or overtime shifts on dates of industrial action or strike action. This is applicable to all members in all roles. This applies to any requests made after the publication of this guidance on 27 November 2019.

No unpaid hours

Members are asked to start work at their contracted shift time and finish at their contracted shift time. This is applicable to all members in all roles.

Take all your breaks

Members are asked to ensure they take all breaks in full and not to miss breaks, cut them short or allow them to be interrupted to go back to work, except in a clinical emergency. This is applicable to all members in all roles.

No portering duties

Members are asked not to undertake portering duties. This includes collecting items from stores, pharmacy and kitchen. This is applicable to all members in all roles.

No housekeeping duties

Members are asked not to carry out any housekeeping tasks such as cleaning bathrooms, emptying waste bins or cleaning offices. This is applicable to all members in all roles.

No non-clinical administrative tasks

Members are asked not to order notes, file tests or results, answer emails, order routine stores, or order routine linen supplies which are not related to direct patient care.

No voluntary transportation of patients in community settings unless it is clinically indicated.

No collection or delivery of prescriptions, medication or other pharmacy-related materials in community settings or facilities.

Exceptions will be at the discretion of the nurse/ nursing assistant in order to meet clinical need.

No attendance at meetings other than meetings that are patient/client specific.

Members are asked not to attend extraordinary meetings within acute or community workplace settings (dispute and strike committee meetings are an exception).

No attendance at conferences or training except where it is deemed mandatory by the HSC organisation.

Instead of attending conferences or non-mandatory training, RCN members should, in consultation with their line manager, attend their normal workplace in order to fulfil their contract of employment.

Protection for members taking part in action short of a strike.

The law protects employees participating in strike action and action short of a strike from dismissal.

Most employers recognise that deducting pay or considering disciplinary action or victimisation would be counterproductive in relation to authorised and lawful action short of a strike.

The RCN will offer you full support in the usual way if you are threatened with disciplinary action, deduction of wages or victimisation for taking part in industrial action. If this affects you, contact the RCN as soon as possible.

The RCN expects members to ensure that patient safety is always paramount in interpreting the above list of instructions. Members must always behave in a professional manner and in keeping with the requirements set out in the NMC code (if applicable). If a member has any queries relating to these instructions, they should contact an RCN official.

If you are in any doubt about what to do, always ensure that you put patient safety first. The RCN will have a local strike committee in each Trust which will be available to address concerns on days of action. The RCN Northern Ireland help and advice line (028 90 687136) will also be operate on these days.