

The Rt Hon Rishi Sunak MP
Prime Minister

Prime Minister's Office
10 Downing Street
London SW1A 2AB
United Kingdom

Ref. JWG/cb

Brussels, 26 January 2023

Dear Prime Minister,

On behalf of 8 million public service workers across Europe, I would like to inform you that your claims about minimum service levels in Europe do not match the reality.

In a debate in the Commons, you claimed that a government unilaterally imposing minimum services should not be controversial and cite the legal framework in other countries. This statement is not correct and you take the legislation in other countries out of context.

While there is legislation in France, Italy and Spain that covers minimum service provision in certain public services, the context for industrial action in these countries is very different. You do not take this into account and therefore the government cannot claim to bring UK strike law into line with the situation in these countries. To start with, all three countries guarantee the individual right to strike in their constitutions. This is different from just granting immunity to striking workers in the UK. The protections the European Convention on Human Rights offers, has apparently also been questioned. And some Conservatives have argued that the UK should withdraw from this human rights framework all together.

Furthermore, none of these countries require a ballot for industrial action. This is similar in most European countries. This is in stark contrast to not only the detailed ballot regulations in the UK but the additional thresholds required in certain public services. And as an additional point, all three countries have a long tradition of social dialogue and collective bargaining both at sector level as well as national level which again provides a very different context for law and practice on industrial action. This includes taking strike action where trade unions are involved in negotiating the minimum service levels rather than having them imposed by national governments.

Instead of making serious attempts to negotiate settlements to the current disputes about pay and other conditions in health services, firefighting, central government, railways and education, your government is rushing through a new law that will impose minimum service

levels in key sectors, including the possibility that strikers will be sacked if they fail to comply with notices to work. This will be challenged under European and international law to which the UK is party.

The right to strike is a fundamental right enshrined in many constitutions and primary laws, this is not the case in the UK.

We ask you to engage in meaningful social dialogue with the trade unions and withdraw the legislation. We ask your government to recognise the right to strike at the highest possible level. The government is itself a major employer and should engage in negotiations with unions to find solutions to the justified demands of workers hit by the cost-of-living crisis. Workers delivering public services deserve good pay and conditions, and a pay increase.

Yours sincerely,



General Secretary EPSU
Jan Willem Goudriaan

Cc. Secretary of State for Business, Energy and Industrial Strategy, the Rt Hon Grant Shapps MP