



## **City of York Trading Ltd Strike and Industrial Action Policy Statement**

Regulation 7 of the Conduct of Employment Agencies and Employment Business Regulations 2003, prohibits an employment business from supplying workers to clients to perform:

(a) the duties normally performed by a worker who is taking part in a strike or other industrial action ("the first worker"); or

(b) the duties normally performed by any other worker employed by the hirer (client) and who is assigned by the hirer to perform the duties normally performed by the first worker.

This means that City of York Trading Ltd (CYT) must not supply a work-seeker to a client to perform the duties of the client's own staff (the first worker) or any other worker who has been assigned by the client to carry out the duties of the first worker where the first worker is taking part in official industrial action (unless CYT are unaware or have no reason or grounds for knowing that the first worker is involved in industrial action).

Although CYT cannot supply additional workers to cover the work of those employees who are on strike, any existing temporary workers can still continue to work if they are undertaking the same work as they were before the strike and do not take on any additional duties to cover the staff participating in the strike.

In all cases where there could be potential issues relating to industrial action, CYT will seek additional protection by requesting a written undertaking from their client that the temporary workers the client has requested will not replace the employees or workers who are participating in the strike and neither will they replace staff that the client has transferred to undertake the duties of employees or workers who are taking part in official industrial action.

January 2021