

26 April 2024

# FAQs on our Action Short of a Strike

Our action short of a strike starts on 8 May and consists of non-compliance with the directive to return to the office for a set amount of time.

PCS members in ONS have voted to take industrial action over mandated office attendance. Following our ballot, action short of a strike will begin on Wednesday 8 May.

This action short of a strike consists of non-cooperation with ONS's new hybrid working policies. There is the potential to escalate to strike action, including targeted strike action with strike pay, if need be. In the first instance, we are calling on all PCS members in ONS covered by this dispute to support the industrial action short of a strike.

If you have any comments or questions not covered below, please contact your reps by emailing [PCSUnion@ons.gov.uk](mailto:PCSUnion@ons.gov.uk).

## [What is "non-cooperation"?](#)

As with the successful industrial action previously taken by PCS in ONS to improve unfair performance management systems, non-cooperation with ONS' new hybrid working policy would mean a boycott of the new policy. Members would refuse to participate until we can achieve a negotiated settlement.

PCS would not expect members to put their employment at risk by taking industrial action. As with any other form of action you've taken as a PCS member, you will be safeguarded by the legal protections we get from a lawful ballot of members. Any member who is challenged or threatened in any way for taking this action should tell us immediately. Please be mindful what you say relating to industrial action on ONS systems.

## [What are the aims of this industrial action?](#)

PCS wants to make sure that nobody in ONS will suffer from unfair and/or discriminatory treatment as a result of ONS's new policies and practices. To secure this outcome, we will demand meaningful negotiations with ONS Senior

Management to work through the multiple problems this new policy has created. We want to ensure office working is reasonable and meaningful, not based on some arbitrary number, and that the physical working environment is conducive to members being able to get their jobs done. We also need to safeguard members from further detrimental changes. ONS are already discussing the idea of 'attendance smoothing' and have said that colleagues should be ready, willing, and able to attend the office on every day they are contracted to work, at the discretion of ONS, threatening further erosion of flexibilities for staff.

As a union, having meaningful negotiations to seek an agreed way forward has always been our approach. However, to date, ONS has not meaningfully engaged and has refused to postpone the policy implementation to engage in such discussions. Threats have now been made to further reduce staff flexibilities through 'attendance smoothing' which would allow ONS to mandate the days on which a colleague attends.

#### [What if ONS does not meet these demands, and instead threatens this action's participants?](#)

It is hoped that ONS management will see sense and seek a negotiated settlement. However, if ONS chooses to threaten PCS members for taking this action we would, regrettably, have no choice but to escalate the campaign. This means a comprehensive and sustained programme of targeted strike action would be implemented. That action would include strike pay for those members participating in targeted action and would be bolstered by a complementary and varied programme of protests and disruptions, and 'all-out' strike action, by all other PCS members in ONS. This escalation and the action will continue until a negotiated settlement is reached.

#### [How will 'non-co-operation action' work?](#)

We call on every member to take the following action in support of this dispute, from 8 May:

- Do not follow the 20%/40% mandated attendance demands. Attend when it suits you and your team/working requirements, as you will have been doing already since Covid restrictions were lifted.
- Do not complete the office attendance part of the time recording tool or submit data for those occasions when you/your team are in the office, either as a manager or as a job holder.
- If you receive a request to report team attendance data, forward it to your own manager. If, as a manager, you receive a forwarded request to submit

data, forward it on up the line management chain.

- We are a highly skilled and capable workforce, and we deserve to be treated as such! We have shown for several years that we can successfully manage hybrid working in a sensible, considered, and personalised way to achieve our aims. We encourage all members to continue to produce amazing work, while reverting to the pre-November conditions; we have already shown this is possible, let's continue to make ourselves proud!
- If you are threatened in any way for refusing to cooperate with the new hybrid working policy, confirm you will cooperate, and notify your PCS reps immediately.

### [How do I manage my staff on a day-to-day basis?](#)

In exactly the same way as you have done for the four years prior to the office mandate. Since lockdown was lifted, we have been meeting in the office for collaboration, team get-togethers and away-days. It is a myth created on Reggie that we are now returning to the office for the first time. Our action focuses specifically on not enforcing the mandated percentages and not reporting any office attendance via the line manager reporting cycle. You will of course still want to attend when it works for you and your team, and some colleagues will want to attend for more than 40% if that's the way they work best.

### [My area of ONS was already considering taking a similar approach to that outlined above. What is the point of the action?](#)

There is a great deal of inconsistency in implementation across ONS, and deep and wide-spread concerns across ONS about retention and business continuity given the disruption this is causing. Some areas may well take a light-touch approach on the grounds that these new policies and practices are unsustainable. This ballot will ensure such approaches will be covered by official action and our members involved in this will be protected, and it will cover members in areas where a less enlightened approach is taken.

### [What else can I do to support the action?](#)

Ask all your colleagues who aren't members to join the union. The more members our union has, the stronger we are. You can volunteer to help with this and other PCS campaigns by contacting your reps. We encourage all members to continue to report issues they experience related to this policy change to reps, and to participate in any future protests relating to this issue. Members on homeworking contracts and with workplace adjustments, please continue to work in your agreed ways, and get involved in any of the supporting actions that are suitable.

### [Can new members take part in the action?](#)

Any new members joining PCS can participate in the action with the same protection as all other PCS members. You're a member of PCS as soon as you are signed-up online.

### [I am on a fixed term contract/on probation. Does this affect me taking part in industrial action? Are my rights the same as those of permanent employees?](#)

Yes, they are. You are protected against dismissal for taking industrial action from day one in the job. ('dismissal' includes terminating a fixed term contract). The law also says that employees on fixed term contracts must be treated no less favourably than permanent employees, and industrial action cannot be used against you in probation reviews.

### [Who can I contact with any queries, or to volunteer to help the campaign?](#)

Contact your reps by emailing [PCSUnion@ons.gov.uk](mailto:PCSUnion@ons.gov.uk)