

Information for pickets & picket line guidance



What is a picket, and why do we picket?

In the context of Trade Union activity, picketing is a form of protest where people are stationed outside a place of work to express a grievance or protest.

Picketing usually occurs when industrial action in the form of a strike is taking place.

The purpose of a picket is to *“peacefully obtain or communicate information, and/or peacefully persuade people to abstain from working.”*

Who can picket and where can they picket?

Although there is no law relating to the number of people who can attend a picket line, the Code of Practice on picketing says usually there should be no more than 6 people outside an entrance to a workplace.

TSSA Organisers can picket alongside members they represent.

TSSA paid officials can attend picket lines alongside members they represent.

For example, the General Secretary represents all members, so they can attend any picket line anywhere.

An Organiser can join any picket line relating to the companies they have responsibility for.

TSSA Representatives can picket workplaces where they represent and organise their members.

TSSA Representatives may attend a picket line that relates to the workplaces and/or members they represent.

If authorised by the union, a representative can act as an official and attend picket lines relating to members employed by the same employer as themselves.

TSSA Branch Officials can attend picket lines relevant to members of their Branch.

The law defines an "official of the union" as a person who is an officer of the union (or of a branch or section of the union), or who, not being such an officer, is a person elected or appointed in accordance with the rules of the union to be representative of its members (or some of them), including any person so elected or appointed who is an employee of the same employer as the members, or one or more of the members, whom they are elected to represent.

Information for pickets & picket line guidance



TSSA members can picket at or near their own place of work.

It is illegal to picket on private property. Doing so is likely to be an unlawful trespass. When picketing a workplace, members of the picket should assemble on public land, as near to the entrance/exit of their place of work as is practicable.

Members who have no fixed, or more than one, workplace, can picket any location where they do work, or their work is administered from.

Each picket must be supported by a Picket Supervisor.

Role of the Picket Supervisor

Section 220A of the Trade Union and Labour Relations (Consolidation) Act 1992 stipulates that a Trade Union must appoint a Picket Supervisor.

“Where a trade union either organises the picketing or encourages its members to take part in picketing, the union must appoint a picket supervisor who is either a trade union official or other member of that union. Where more than one union is involved in the picketing, each union must appoint its own picket supervisor.”

The main purpose of the Picket Supervisor is to advise people what is meant by peaceful picketing, and to ensure that everyone remains within the designated picketing area/line.

A Picket Supervisor can be responsible for more than one picket line, but they must be easily contactable and able to return to another line quickly and at short notice. (There is no definition in law as to what constitutes short notice).

The Picket Supervisor should be easily identifiable. TSSA will provide each Picket Supervisor with a badge, sticker or armband, to clearly identify them.

Picket Supervisors will also be issued with a letter of authority from TSSA confirming their position, and that the picket is lawful. The Picket Supervisor may be requested to present the letter. Any request to see the letter can only be made by an individual acting on behalf of the employer whose workplace is being picketed. Once the Picket Supervisor is satisfied that the person requesting to see the letter is acting on behalf of the employer, they must show the letter as soon as is reasonably practicable.

Picket Supervisors should be familiar with the Code of Practice on Picketing. See <https://www.gov.uk/government/publications/code-of-practice-picketing>

Information for pickets & picket line guidance



As required, TSSA will take reasonable steps to notify the police of where pickets are taking place and who the Picket Supervisors are.

The dos and don'ts of picketing

The purpose of a picket is to *“peacefully obtain or communicate information, and/or peacefully persuade people to abstain from working.”*

Members can explain their reasons for picketing, including the nature of the dispute. This can be done through speaking to people and/or distribution of leaflets. But it must be done in a peaceful and polite manner.

Members on a picket line may present banners and placards in relation to the dispute and their union affiliation, provided they are not offensive or libellous.

Members can approach people entering or leaving a picketed workplace and attempt to explain their position and persuade them not to cross the picket line. Again, this must be done in a peaceful and polite manner. A picket line, or attendees of a picket line, cannot lawfully prevent anyone from entering or leaving a place of work. If someone does not wish to speak to the pickets and/or wants to cross the picket line, they must be allowed to do so.

Workers who are not involved in the dispute to which a picket relates should not be interfered with by picketing activities.

All pickets should be aware of their surroundings and should look to not make a nuisance in any shape or form. For example, at certain times of day, and in certain locations, especially residential, noise should be kept to a minimum.

Pickets should not block roadways or entrances or exits. They should avoid any form of harassment or intimidation.

All pickets should remain within the area deemed as the picket line. Under no circumstances should a picket enter a workplace or any property belonging to the employer.

A picket line can also be a good place to recruit new members. Don't be afraid to ask people to join.

The CODE OF PRACTICE on PICKETING

<https://www.gov.uk/government/publications/code-of-practice-picketing>