

~~The~~ right to strike is an important one, but the public and private sectors should be treated equally. Government should ensure that when unions ballot members simultaneously, ballots are counted separately by employers.

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*Today sees the largest public sector strike since the 1970s. [Tim Leunig](#) argues that the ability for public sector employees to strike should be equal to their private sector colleagues – i.e. when unions ballot members simultaneously, these should be calculated separately by employer. He argues that this would lead to fewer strikes and fewer working days lost to strikes.*



Public sector workers strike far more often than those in the private sector. Since 2000, the number of days lost, per worker, has been 30 times higher in the public than in the private sector, even though public sector earnings have risen faster.

The Employment Act 1982 states that strikes must be about a dispute between “workers and their employer”. Since British Rail was broken up, a dispute between workers and their employer can only lead to a strike of those who work for a particular train operating company. One side effect of rail privatisation is that it is now much harder to call a national strike. In contrast, strike ballots for public sector workers are usually national, even though very few staff are employed by national organisations. The legal employer of most hospital doctors and nurses is the hospital itself, while GPs are employed by the local primary care trust. Teachers are employed by the local authority, and academy staff by the school itself. University faculty are employed by their university, civil servants by their department, and so on.

Yet we still have sector-wide strike ballots in the public sector, not employer-wide strike ballots as in the private sector, and as the law clearly intends. The Coalition should make sure that the ability to strike – which is an important right – is equal in both public and private sectors.

The government should therefore ensure that when a union ballots all its members simultaneously about a strike, ballots are counted separately by employer. This would have quite radical effects. Even if a majority of workers across Britain voted Yes, it is very unlikely that a majority of workers of each employer would vote Yes. So what would have been a national strike would instead be only a partial strike, with fewer days lost.

In addition, a partial strike would be likely to draw less public support. It is hard to see parents supporting striking teachers if those teachers cannot even persuade other teachers of the case for strike action. This, in turn, would make union members less likely to vote for a strike.

Finally, and most importantly, unions would be less likely to ballot their members on strike action in the first place. At the moment they can call a national strike if they get a simple majority. But to get a majority among the staff of each employer would be much harder, and calling a national ballot that resulted in only a partial strike would make a union look weak and demonstrate the limits to its support. That is something many unions would want to avoid, dramatically cutting the number of strike ballots. The right to strike is an important one, but it is not one that should be unfettered. The public and private sectors should be treated equally.