



Position Statement

Strike policy

ICN Position:

The International Council of Nurses (ICN) expects nurses to have equitable remuneration and acceptable working conditions, including a safe environment. As employees, nurses have the right to organise, to bargain collectively, and to take strike action¹. Strike action is considered the measure of last resort; to be taken only after all other possible means to conclude an agreement have been explored and utilised. ICN defines a strike as employees' cessation of work or a refusal to work or to continue to work for the purpose of compelling an employer to agree to conditions of work that could not be achieved through negotiation.

Effective industrial action² is compatible with being a health professional so long as essential services are provided. The complete abandonment of ill patients is inconsistent with the purpose and philosophy of professional nurses and their professional organisations as reflected in ICN's Code of Ethics for Nurses.

During a strike a minimum essential service to the general public must be maintained.

Other principles to be upheld include:

- The delivery of essential nursing services to a reduced patient population;
- Crisis intervention by nurses for the preservation of life;
- Ongoing nursing care to assure the survival of those unable to care for themselves;
- Nursing care required for therapeutic services without which life would be jeopardised;
- Nursing involvement necessary for urgent diagnostic procedures required to obtain information on potentially life-threatening conditions;
- Compliance with national/regional legislation as to procedure for implementation of strike action.
- Nurses' right to take industrial action in the case of a breakdown of negotiations may only be curtailed if independent and impartial machinery such as mediation, conciliation or arbitration is established³.

¹ ILO Convention 87 Freedom of Association; ILO Convention 98 Right to Organize and Collective Bargaining; ILO Convention 154 Collective Bargaining; ILO Convention 149 on Nursing Personnel.

² Workplace-related demonstration, manifestation or strike.

³ ILO Convention 151 Labour Relations (Public Service).

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National nurses' associations (NNAs) are responsible social partners and must develop training programmes that adequately prepare their representatives, nursing leaders and nurse employees in the practice of the various methods of negotiation as a means for resolving their employment concerns - i.e. conciliation, arbitration, collective bargaining - as appropriate in each country/province⁴. Individual nurses must provide input to their NNAs so that policy and decision-making are relevant and consistent with the realities encountered in daily practice.

ICN provides technical support to NNAs addressing labour issues and encourages the International Labour Organization to positively influence national policy in each country.

NNAs, as professional associations and/or trade unions, are affected by health sector strike action. They must therefore develop proactive policies and contingency processes as well as structures to guide their members' professional attitude and behaviour in such situations. At the same time, NNAs must be proactive and assertive to improve the nurses' socio-economic welfare before strike action becomes necessary. Evaluations of strike actions (including the responsibility of main stakeholders) must be undertaken so that lessons learned may improve future negotiations.

The ICN condemns all forms of victimisation against strike leaders when legal procedures have been followed.

ICN and NNAs recognise the potential strength of interdisciplinary partnerships within the health and social sectors during negotiations with public and private employers.

ICN and NNAs oppose the deliberate use of strike breakers⁵, a practice that weakens the pressure for credible social dialogue.

Background

The fundamental responsibility of the nurse is fourfold: to promote health, to prevent illness, to restore health and to alleviate suffering⁶. In certain cases, nurses may find themselves in situations where strike action is necessary to ensure the future delivery of quality care by qualified personnel.

While social dialogue is widely recognised as the principal and most effective means of resolving professional and workplace-related problems, frustrated employees may take industrial action in cases where the option of employer/employee negotiation has been unsatisfactory, unsuccessful or refused. Where deficiencies in the quality of working life and the economic rewards of nurses have become so serious as to affect the long-range

⁴ ICN Position Statement on Socio-economic Welfare of Nurses.

⁵ Individuals hired specifically to replace striking employees with a view to weakening the strike action.

⁶ ICN Code for Nurses.

prospects for maintaining high standards of nursing care, nurses may choose to take industrial action to bring about needed changes. In extreme situations, strikes have occurred and on occasion have resulted in wide public and intra-professional debate.

Strike action maintaining essential services has been used successfully by professional trade unions in the past to initiate social dialogue, improve the quality of care provided as well as the working conditions of nurses/health workers. A range of strike action is possible. "Selective strikes" have provided the necessary impact to advance negotiations while generating less disruption to patient care⁷. In certain cases, token strikes (e.g. one hour demonstrations) may generate the impetus to initiate social dialogue. As an initial or complementary measure, strike action may include the cancellation of all elective interventions, a work-to-rule policy and/or the withdrawal of services involving non-nursing duties, e.g. domestic, clerical, portering, catering.

The negotiation and strike process needs to be evaluated in terms of its implementation and results, including the impact on stakeholders and social outcomes. Support required for the parties involved in each step of the action taken must be identified and provided (e.g. financial, emotional).

If strike action is taken, national/provincial legislation may determine the conditions under which such measures are implemented. Essential services are often based on evening/night shifts and weekend staffing ratios and protocols, commonly accepted levels of service.

Adopted in 1999
Reviewed and reaffirmed in 2004

Related ICN Position:

- Socio-economic Welfare of nurses

The International Council of Nurses is a federation of more than 130 national nurses associations representing the millions of nurses worldwide. Operated by nurses and leading nursing internationally, ICN works to ensure quality nursing care for all and sound health policies globally.

⁷ A selective strike - where nurses from a determined number of hospitals/health services or departments within health care facilities stop working.