



## Minimum service levels bill

### Background

The Government has [launched a new bill](#) designed to ensure a certain level of transport services will be required to run during transport strikes by imposing minimum service levels.

The Transport Strikes (Minimum Service Levels) Bill (the “Bill”) will enable the implementation of minimum service levels for certain specified transport services during periods of strike action by amending s.219 of the Trade Union and Labour Relations (Consolidation) Act 1992. This amendment will mean that trade unions will no longer be immune from liability for industrial action if they fail to take reasonable steps to ensure that required persons do not participate in strike action, for the purpose of meeting minimum service levels.

Minimum service levels will be negotiated between employers and unions of specified transport services.

The Bill is expected to come into force in 2023.

### Comment

Despite the Government’s position that the Bill’s proposals align with rules in place in countries across Europe, unions have voiced their opposition to the controversial Bill, describing its proposals as “autocratic” and an attempt to “outlaw” effective transport industrial action. We anticipate that vocal opposition of the Bill will continue as it progresses to a second reading. Unions have also outlined practical issues arising from minimum service levels, describing the plans themselves as “unworkable”.