



The Professional Trade Union for Prison
Correctional, Public and Private Mental Health
Trust Services Providers and Immigration Services

THE PRISON OFFICERS' ASSOCIATION

TOWARDS A 2ND EMPLOYMENT RIGHTS BILL



UNITY
CONSULTING

THE PRISON OFFICERS' ASSOCIATION: TOWARDS A 2ND EMPLOYMENT RIGHTS BILL

OVERVIEW

The Employment Rights Act was passed in December 2025. The act brings into law a number of commitments made by the Labour Party in its “New Deal for Working People”, however amendments in the House of Lords resulted in the significant watering down of some important elements of the “New Deal” for example, employment rights after 6 months, instead of from day 1 of employment.

The Act will improve workers' rights, but many of the changes are not expected until late 2026 or 2027 and are subject to consultation on secondary legislation. This could see commitments further weakened.

A number of trade unions and their members have campaigned for the repeal of all Tory anti union legislation introduced since the 1980s and are now calling for a second Employment Rights Bill. They have been supported by MPs, Peers, employment lawyers and influential organisations such as the Institute for Employment Rights.

A new employment rights bill could include the following:

1. An Immediate repeal of all anti-union laws.
2. A full ban on “fire and rehire”, enforceable by injunction.
3. The end of all zero-hours contracts.
4. A £15 per hour minimum wage with no age exemptions.
5. A statutory right to collective bargaining for all workers and a legal mechanism for creating sector-wide collective bargaining.
6. Amending labour laws to comply with international standards.
7. Universal employment rights, including for workers on working visas, through a single worker status.
8. Employment rights from day one for all workers.
9. The right of trade unions to access workers on employers' premises, enforceable by injunction.
10. End restrictions on industrial action and introduce a positive right to strike, including the right to take solidarity action.



THE PRISON OFFICERS' ASSOCIATION: TOWARDS A 2ND EMPLOYMENT RIGHTS BILL

THE RIGHT TO STRIKE

The POA has a long standing commitment to the highest standard of enforceable, universal workplace rights that meet international labour standards. The union's key demand is the restoration of "The Right to Strike" for Prison Officers and all workers.

In 1994 "The Right to Strike" for Prison Officers was removed by the Tory Government during the passage of the Criminal Justice and Public Order Act. Subsequently, the Blair Government committed to reinstating "The Right to Strike" in England and Wales but failed to follow through on this pledge when in office.

The Scottish Government reinstated "The Right to Strike" in 2015; not a single day has been lost to strike action since.

The right to withdraw one's labour is a fundamental human right recognised by the ILO.

Prison Officers take their responsibilities and duties seriously, strike action is always a last resort, it is one of the few ways that workers can fight back against poor pay, punishing terms of service, and workplace conditions.

Prison Officers are working in one of the most hostile and dangerous working environments there is. This is being fuelled by overcrowding, understaffing, drugs and contraband entering prisons, the influence of organised crime in jails and decades of underfunding of the justice system.

Banning the "Right to Strike" is the action of repressive and totalitarian regimes. Britain is supposed to be a democracy - that should include industrial democracy and universal human rights.

The POA has faced significant legal penalties for breaking a permanent injunction obtained by the Government in 2017 that prohibits the union from inducing or supporting industrial action.



THE PRISON OFFICERS' ASSOCIATION: TOWARDS A 2ND EMPLOYMENT RIGHTS BILL

THE RIGHT TO STRIKE

This appalling restriction on the basic human right to withdraw one's labour lets the government legally exploit loyal and brave public servants, who are limited in their ability to protect their pay, terms and/or conditions. The only avenue open to them and the POA is through costly and lengthy court action.

The POA lobbied the UK Government heavily to reinstate the "Right to Strike" in the recently passed Employment Rights Bill but despite giving commitments on this whilst in opposition, the Government rejected amendments to the Employment Rights Bill that would have seen the right returned to Prison Officers.

Following the failure to overturn the ban in UK courts (Court of Appeal and Supreme Court), the POA lodged an application with the European Court of Human Rights (ECHR) to challenge the ban on industrial action and the legal contempt fines imposed upon the union and its officials. The outcome of this case will be known at a future date.

The POA will actively support and campaign for a 2nd Employment Rights Bill.

