

Free research paper on should public servants have the right to strike

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One of the contemporary issues faced by nations all over the world is the strike by public sector employees. The topic has been a controversial one for a long time, though there has not been much reconciliation and acknowledgement of a satisfactory stand. Employees in most developing and developed countries have been accorded the right to strike. With globalization and liberalization, the constitutions of most countries have recognized the fact that employees have the right to strike. The right to strike enables employees to initiate action against unreasonable employers. It helps them to get for themselves what they believe is fair and just. Striking is therefore regarded a fundamental human right which not only provide the workers with dignity, but also a way to protest without any fear (Taylor). However a topic of larger interest is whether public servants have the right to strike. Imagine what would happen if doctors, school teachers and trash collectors had the right to strike. For instance consider the recent doctor's strike across the UK which led to the cancellation of operations. Several patients were affected with theater sessions and out patients' clinics being cancelled (Connolly). The public had been put to big inconvenience and risk, with these cancellations and postponements.

Therefore the right to strike should not be extended to public servants. Although employees should have the right to strike, this should not be extended to public servants particularly those employed in essential and emergency services. For a long time, many societies, particularly the European societies believed that public servants cannot be compared to private sector employees as they were associated to the state (Demmke). These employees were perceived as government agents that strive to uphold

the rule and policies of the state. Thus public or civil servants were entrusted with single tasks and were expected to have high standards of integrity and work for the common good. With the widening of the public sector, civil jobs like those in the fields of education and healthcare began to get a preferential treatment in terms of job security and social security. It is therefore logical that public servants should not have the right to strike, given their role, responsibilities and obligations to the public.

Public servants have no genuine reason to strike. Compared to their counterparts in the private sector, public sector employees have no large concern so as to strike. The salary and benefits accorded to them are established by the government, which mean these are established in accordance with all fair standards. All benefits and provisions one expects in a job are obviously provided by the government. As far as issues in working standards or equipments are concerned, these are promptly addressed whenever they crop up. It is therefore obvious that public jobs are most respected and well sought. Unlike jobs in private sector where people are overworked, underpaid, and with less or no welfare and benefit schemes, public sector employees and their dependents are well cared by the state that also establishes the minimum standards for the rest of its people.

Despite all these and also having several ways to address their concerns, it is unfortunate that public sector staff resort to strike. This is because they see strikes as an opportunity to raise the bar of their employment benefits. Strike by public sector employees that impact public life is unethical. These employees have been entrusted tasks on their undertaking that they would work for the public. It is a breach of trust when they resort to strikes to fulfill

their personal agenda. Take for instance professionals like physicians; there is an unwritten bond between the physician and the patient facilitated through several factors like oath, religion and tradition (Glick). There can therefore be no justification for strikes by a physician. The same principle is extendable and applicable to all public staff particularly those associated with essential services and products. When public servants strike, it only proves that they aren't eligible to the tasks entrusted to them, on moral grounds. People unconcerned of the public are incapable of serving them. It is unethical for them to continue in service when they are open to strikes and see strikes as a way of resolution and benefit.

Public sector employees often plan their strikes to have maximum impact, which mean maximum public inconvenience and sufferings. We've seen incidents of civil servants planning strikes such that their services are not available just when they are most required. For instance the strikes by fire brigade on bonfire nights and postal strikes during Christmas are intended to showcase the importance of these staff, and thus prevail on the government to satisfy their demands. When essential services are affected, the public have no feasible alternative at hand, and strikers easily cause huge difficulty and costs to people. It needs to be noted here that while the European Convention of Human Rights protects the right to strike, it also restricts this right when public safety and health is affected (Phibbs). In the interest of the larger public and the nature of impact, most nations have ruled strikes by public servants as being illegal.

It is surprising that some employee unions perceive withholding the right to strike, as a discrimination. In their view, the right to strike should be

perceived from the worker's perspective and not from the impact it causes. What if the government simply ignores their demands for a long time?. It would be unfair to suggest that they should continue until the government responds. When all others can strike; why should there be a section of those who shouldn't?. After all equality and nondiscrimination are the fundamentals of any society. The 1948 Universal Declaration of Human Rights, adopted by the International Labor Office (ILO) for member nations interprets the right to strike as a universally accepted principle. This view is also hardened by the idea that seeking an undertaking from public servants on not striking, is itself unethical and a social injustice. The proponents of such view see a holistic picture based on which they suggest that all people are equal under law and should have an opportunity to showcase their grievance in any way, others are allowed to do. However withdrawal of striking rights for a certain section of employees could be termed as 'injustice' only when there is disregard to public welfare. How can a nation be secure when its army wants to strike just when there is a threat. How can policemen strike when there is law and order problem? Is the principle of equality and nondiscrimination logic here?. The laws, regional or international are made in the larger interest of the people and to keep the society moving forward. To achieve this there would obviously be some ups and down, which need to be addressed in alignment with public interests and not against it. Therefore withholding the right to strike, from public sector employees is not a discrimination or injustice, as it is formulated in larger public interest. The ILO and the Council of Europe, both emphasize on public service obligations in market and non-market services; having imposed

restrictions on the use of right to strike.

Strike by public sector employees can even cripple a society easily. The public sector jobs are highly revered and fiercely sought for, which reflect the value of these jobs. Compared to a private sector job where employees could be fired for various reasons, these jobs come with a guarantee that employees wouldn't be demoted or fired (Raines). This apart, there are innumerable benefits and allowances, that are not commonly available. However to take up such a public service position, one needs to fundamentally acknowledge it as an opportunity to serve public and not as an opportunity to benefit at public expense. Any society that cares for its population would not extend the right to strike, to public sector employees. Public sector unions need to fully explore all avenues including legal options to get their demands met, and should never consider the prospect of a strike to achieve it. Man has an inherent quest to get more and is never easily satisfied, always demanding more. Workers serving the public shouldn't resort to strikes and hold the public to ransom, in order to meet their demands (Weekly Gripe). The government on its part needs to primarily ensure that such people do not enter into public service in the first place.

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