GENERAL RESTRICTIONS ON THE RIGHT TO STRIKE

Has a general prohibition of strikes been made?

Has the prohibition been justified by a situation of acute national crisis?

“This means genuine crisis situations, such as those arising as a result of a serious conflict, insurrection or national disaster in which the normal conditions for the functioning of society are absent.”

Has the prohibition been for a limited period and to the extent necessary to meet the requirements of the situation?

Is the system acceptable under FOA principles?

“Compulsory arbitration to end a collective labour dispute and a strike is acceptable if it is at the request of both parties involved in a dispute or if the strike in question may be restricted, even banned, i.e. in the case of disputes in the public service involving public servants exercising authority in the name of the State or in essential services in the strict sense of the term, namely those whose interruption would endanger the life, personal safety or health of the whole or part of the population.”

Consider FOA recourse

See also CEACR 2012 General Survey, paras 117-161.