



# Trade Union (Wales) Act 2017

2017 anaw 4

## 2 Prohibition on using temporary workers to cover industrial action

- (1) A devolved Welsh authority may not hire a worker supplied by a person carrying on an employment business to perform—
  - (a) duties normally performed by a member of its staff (“S”) while S is taking part in a strike or other industrial action, or
  - (b) the duties of any other member of its staff assigned to perform the duties normally performed by S.
- (2) But subsection (1) does not apply if either the strike or other industrial action is unofficial.
- (3) For the purposes of this section a strike or other industrial action is unofficial if it would be regarded as unofficial for the purposes of section 237 of the [Trade Union and Labour Relations \(Consolidation\) Act 1992 \(c.52\)](#).
- (4) In this section—
  - “devolved Welsh authority” (“*awdurdod datganoledig Cymreig*”) has the same meaning as in section 157A of the [Government of Wales Act 2006 \(c.32\)](#);
  - “employment business” (“*busnes cyflogaeth*”) has the same meaning as in section 13(3) of the [Employment Agencies Act 1973 \(c. 35\)](#).