Text consolidated by Valsts valodas centrs (State Language Centre) with amending laws of:

26 September 2002 [shall come into force on 1 January 2003];

10 November 2005 [shall come into force on 14 December 2005];

17 October 2019 [shall come into force on 19 November 2019];

If a whole or part of a section has been amended, the date of the amending law appears in square brackets at the end of the section. If a whole section, paragraph or clause has been deleted, the date of the deletion appears in square brackets beside the deleted section, paragraph or clause.

The *Saeima*1 has adopted and

the President has proclaimed the following law:

**Strike Law**

**Chapter I**

**General Provisions**

**Section 1.** The following terms are used in this Law:

1) [26 September 2002];

2) [26 September 2002];

3) **strike** – a means of resolving a collective interest dispute that manifests itself in such a way that employees or a group of employees of a branch of an undertaking voluntarily, completely or in part, discontinue work in order to attain the fulfilment of demands;

4) **strike negotiations** – discussions by the parties to the collective interest dispute the aim of which is to reach an agreement in the collective interest dispute and terminate the strike;

5) **solidarity strike** – a strike which is not based on a collective dispute regarding interests, but on solidarity with the demands of a trade union of employees of the branch of another undertaking or employees of the branch of another undertaking in order to attain the fulfilment of the stated demands;

6) **declaration of a strike** – an announcement regarding the decision to strike made by an employee trade union of an undertaking or branch, or by employees of an undertaking or branch, or by the representatives of the abovementioned employees;

7) **strike procedures** – a process which includes the declaration of a strike, the strike itself and the strike negotiations, and during which the parties to the collective interest dispute exercise the rights and duties thereof prescribed by law.

[*26 September 2002*]

**Section 2.** This Law prescribes:

1) the rights and duties of the parties to a collective interest dispute during the strike procedures;

2) restrictions on the right to strike;

3) the grounds for recognising a strike or declaration of a strike illegal;

4) the procedures for the supervision of strike procedures;

5) liability for violation of this Law.

[*26 September 2002*]

**Section 3.** (1) The employees of a branch of an undertaking (hereinafter – employees) have the right to strike in order to protect their economic or professional interests.

(2) The right to strike shall be exercised as a last resort if no agreement and reconciliation has been reached in the collective interest dispute.

[*26 September 2002*]

**Section 4.** (1) Participation in a strike shall be voluntary.

(2) An employee may not be forced to participate in a strike or be prohibited from participation in the strike.

**Section 5.**

[26 September 2002]

**Section 6.** (1) The parties to the collective interest dispute shall enter into strike negotiations during the strike.

(2) During the strike negotiations the demands, suggestions, and proposals of the parties to the collective interest dispute, the answers provided thereto, as well as the decisions taken and agreements reached shall be drawn up in writing.

(3) If an employer does not fulfil the agreement regarding the resolution of the collective interest dispute reached during the strike negotiations, the trade union or employees have the right to re-commence the strike without complying with the provisions of Sections 11 and 12 of this Law.

[*26 September 2002*]

**Section 7.** The parties to the collective interest dispute shall ensure that the procedures prescribed by this Law are complied with during the strike.

[*26 September 2002*]

**Chapter II**

**Pre-strike Negotiations**

[26 September 2002]

**Chapter III**

**Declaration of Strike**

**Section 11.** (1) A trade union shall take a decision regarding the declaration of a strike in accordance with the procedures prescribed by the articles of association at a general meeting of the members thereof and in which more than half of the number of members of such trade union participate. A decision shall be taken if a simple majority of the members of the relevant trade union who are present have voted for it. The process and results of the voting shall be recorded in the minutes.

(2) If it is impossible to convene a general meeting of the members of the relevant trade union due to the large number of the members or due to the specific nature of the work organisation, the decision regarding the declaration of a strike shall be taken in accordance with the procedures prescribed by the articles of association at a meeting of authorised representatives of members of the trade union. A decision shall be taken if simple majority of the authorised representatives of the members of the relevant trade union who are present have voted for it. The process and results of the voting shall be recorded in the minutes.

(3) A trade union or authorised representatives of the members of a trade union referred to in Paragraph two of this Section (hereinafter – authorised representatives of the members of a trade union) may take a decision regarding the declaration of a strike also on behalf those employees who are not members of the relevant trade union, if such employees have authorised the trade union or the authorised representatives of the members of the trade union.

[*10 November 2005*]

**Section 12.** (1) Employees shall take a decision regarding the declaration of a strike at a general meeting of employees of the relevant undertaking in which at least half of the number of the employees of this undertaking participate. The decision shall be taken when a simple majority of the employees of the relevant undertaking who are present have voted for it by secret ballot. The process and results of the voting shall be recorded in the minutes.

(2) If it is impossible to convene the general meeting of employees due to the large number of employees or due to the specific nature of the work organisation, the decision regarding the declaration of a strike shall be taken at a meeting of authorised employee representatives of members of the employees in which at least half of the number of authorised employee representatives of the members of employees of the undertaking participate. A decision shall be taken when a simple majority of the authorised employee representatives of the members of employees of the relevant undertaking who are present have voted for it by secret ballot. The process and results of the voting shall be recorded in the minutes.

[*10 November 2005*]

**Section 13.** A trade union (authorised representatives of members of the trade union) or employees (authorised representatives of employees), upon taking a decision regarding the declaration of a strike, shall establish a strike committee to lead a strike and represent the interests of employees of the relevant trade union or relevant undertaking during the strike negotiations with the employer. The numerical composition of the committee and procedures for establishment thereof shall be determined by the trade union (authorised representatives of the members of the trade union) or employees (authorised representatives of the employees).

**Section 14.** (1) Not later than seven days prior to the commencement of a strike the strike committee shall submit to the relevant employer, the State Labour Inspectorate and the Secretary of the National Tripartite Co-operation Council (hereinafter – Tripartite Council) the following:

1) a declaration of a strike, including:

a) the date, time of commencement of the strike and place of the strike;

b) the reasons for the strike;

c) the demands of the strikers;

d) the number of strikers;

e) the composition and the leader of the strike committee;

2) a decision of the relevant meeting (general meeting) regarding the declaration of a strike accompanied by minutes in which the number of votes has been recorded by which the abovementioned decision has been taken, but in cases set out in Section 11, Paragraph three of this Law – also the minutes which endorse the abovementioned support.

(2) During the strike the trade union or employees shall not be allowed to state to the employer demands which have not been indicated in the declaration of a strike.

[*26 September 2002; 10 November 2005*]

**Section 15.** The authorisation for the strike committee shall terminate if the parties to the collective interest dispute agree to terminate the strike or if the strike has been acknowledged as illegal.

[*26 September 2002*]

**Chapter IV**

**Restrictions of Right to Strike**

**Section 16.** Judges, prosecutors, police officers, employees of fire safety, fire-fighting and rescue services, border guards, employees of the State security institutions, warders and persons who serve in the National Armed Forces are prohibited from striking.

[*10 November 2005*]

**Section 17.** (1) The employer and the strike committee shall ensure that during a strike the minimum amount of work is continued in the services, undertakings necessary to public (hereinafter – the services necessary to public) the discontinuation of which would cause a threat to national security or the safety, health or life of the entire population, certain groups of inhabitants or particular individuals.

(2) The services necessary to public within the meaning of this Law shall be:

1) medical treatment and first aid services;

2) public transport services;

3) drinking water supplies services;

4) electricity and gas production and supplies services;

5) communications services;

6) air traffic control services and the services which provide air traffic control services with meteorological information;

7) services related to the safety of movement of all forms of transport;

8) waste and waste water collection and treatment services;

9) radioactive substances and waste storage, utilisation and control services;

10) civil defence services.

(3) If necessary, not later than three days prior to the commencement of a strike, the employer and the strike committee shall agree in writing and designate from those employees who will participate in the strike a certain number of employees who will perform the work referred to in Paragraph one of this Section during the strike, as well as specify the amount of practical work of the abovementioned employees and give specific orders.

(4) The refusal of an employee to perform the practical work and follow the orders referred to in Paragraph three of this Section the aim of which is to ensure the functioning of the relevant service necessary to the public or the minimum necessary work to be performed during strike provided for by the employment contract or collective agreement shall be regarded as a violation of the work procedures, and the employee shall be held liable in accordance with the procedures prescribed by law.

[*26 September 2002*]

**Section 18.** If necessary, not later than three days prior to the commencement of a strike the strike committee and the employer shall agree in writing regarding the measures to be taken during the strike in order to:

1) maintain the undertaking, machinery and equipment or devices thereof in such condition which would allow the recommencement of work immediately after the termination of the strike;

2) ensure the guarding of raw materials, finished and unfinished products of an undertaking;

3) assume the guarding of the machinery and premises of an undertaking.

**Chapter V**

**Supervision of Strike Procedures**

**Section 19.** (1) Conformity of the strike procedures to this Law and other laws and regulations shall be supervised by the State Labour Inspectorate.

The State Labour Inspectorate shall specify the place and time of strike negotiations if the employer and strike committee are unable to reach an agreement.

(3) The State Labour Inspectorate has the right to:

1) postpone or terminate the strike in the cases provided for by Section 20 of this Law;

2) give binding orders to the parties to the collective interest dispute in the cases provided for by Sections 21 and 22 of this Law;

3) request from the parties to the collective interest dispute the information necessary for the resolution of the collective interest dispute and the organisation of strike negotiations;

4) [17 October 2019].

[*26 September 2002; 17 October 2019 /* *Amendment regarding the deletion of Clause 4 of Paragraph three shall come into force on 1 July 2020.* *See Transitional Provision*]

**Section 20.** In case of a natural disaster, major accident or epidemic the State Labour Inspectorate may postpone the strike or discontinue it for a period of up to three months with regard to persons involved in the prevention of a natural disaster, major accident or epidemic or elimination of consequences.

**Section 21.** If the parties to the collective dispute do not ensure the implementation of the provisions of Section 17 of this Law, the State Labour Inspectorate shall give a binding order thereto for continuing the minimum amount of work in the services necessary to the public and determine the number of employees who are to perform the task referred to.

[*26 September 2002*]

**Section 22.** If the parties to the collective interest dispute are unable to agree regarding the measures referred to in Section 18 of this Law pursuant to the declaration of a strike, the State Labour Inspectorate shall, at the request of the employer or upon its own initiative, determine the number of those employees who must take the measures referred to in Section 18 of this Law.

[*26 September 2002*]

**Chapter VI**

**Acknowledging Strike or Declaration of Strike to be Unlawful**

**Section 23.** (1) A strike or an declaration of a strike shall be regarded as illegal if:

1) this Law has been violated;

2) the strike has been declared during the term of validity of a collective agreement which has already been entered into in order to change the conditions of this collective agreement, thus violating the procedures for amending a collective agreement referred to therein;

3) it is a strike of solidarity which is not related to the fact that the general agreement (regarding tariffs, labour and other social protection guarantees) has not been entered into or fulfilled;

4) the strike is initiated in order to express political requirements, political support or political protest.

(2) A strike shall be considered to be unlawful if it pertains to the issues upon which the parties have already agreed during strike negotiations.

**Section 24.** (1) Only the court may acknowledge a strike or the declaration of a strike to be illegal.

(2) The employer shall submit to the court an application regarding the acknowledgement of the declaration of a strike to be illegal within a period of four days from the day of the declaration of a strike.

(3) If an application regarding the acknowledging of the declaration of a strike to be illegal has been submitted to the court by the date of the commencement of the strike specified in the declaration of the strike, the strike may not be commenced until the judgment of the court comes into effect.

[*10 November 2005*]

**Section 25.** A strike, which has been acknowledged to be unlawful, must be discontinued immediately, but if the strike has not yet been commenced and the court has acknowledged the declaration of the strike to be unlawful, it is prohibited to commence the strike.

**Chapter VII**

**Rights and Duties of Employees and Employers during Strike**

**Section 26.** (1) The initiation and declaration of a strike, and participation in a strike shall not be considered to be a violation of the employment contract or labour rights in accordance with the procedures prescribed by this Law and shall not, therefore, constitute grounds for the dismissal of employees.

(2) Work places of employees who participate in a strike in accordance with the procedures prescribed by this Law shall be retained.

(3) Disciplinary sanctions shall not be applied to the employees who participate in a strike in accordance with the procedures prescribed by this Law.

**Section 27.** (1) At the request of an employee, the time during which the employee participates in a strike shall not be included in the term of an employment contract entered into for a specified period. The course of the term for such contracts shall be suspended for the entire duration of the strike and it shall be renewed as soon as the strike is discontinued in accordance with the procedures prescribed by this Law. This condition does not apply to cases when after the termination of a strike it is impossible to perform the work for the performance of which an employment contract for a specified period of time has been entered into.

(2) At the request of an employee, the time during which an employee participates in a strike shall not be included in the notice periods of an employment contract.

**Section 28.** (1) The employees participating in a strike shall not receive remuneration for work during the strike, and the employer shall not make social security payments for these employees, unless otherwise agreed by the parties to the collective interest dispute.

(2) Employees who work during a strike in accordance with Sections 17 and 18 of this Law shall receive remuneration for work commensurate with the work performed.

[*26 September 2002*]

**Section 29.** At the request of the employees who do not participate in a strike, but due to the strike are unable to perform their duties of employment, the course of the term of operation of an employment contract entered into for a specified period shall be suspended for a period of time during which the employees are not able to perform their work, and it shall be renewed as soon as the strike is terminated in accordance with the procedures prescribed by this Law.

**Section 30.** (1) All provisions of an employment contract and collective agreement shall be binding on those employees who do not participate in a strike and continue to work and they shall receive remuneration for work in conformity with the relevant employment contract and collective agreement.

(2) Employees who do not participate in a strike and continue to work may not be forced to assume the work of the striking employees.

**Section 31.** (1) A trade union, employees and strike committee may establish a fund from voluntary payments, donations of employees and other persons, as well as other funds in order to render material support to the trade union or employees participating in the strike.

(2) A trade union or employees may also establish a special voluntary insurance fund.

(3) Material and financial support of political organisations (parties) shall be prohibited from the funds referred to in Paragraphs one and two of this Section.

**Section 32.** (1) Blocking of an undertaking where the strike is taking place, as well as blocking the entrances and driveways thereof shall be prohibited.

(2) During a strike employees have the right to organise meetings, street processions and pickets in accordance with the procedures prescribed by the law On Meetings, Processions and Pickets.

**Section 33.** An employer may not hire new employees to replace the striking employees during a strike in order to prevent or suspend the strike or to avoid the fulfilment of the demands of the striking employees.

**Chapter VIII**

**Administrative Offences in the Field of Right to Strike and Competence in Administrative Offence Proceedings**

[*17 October 2019 /* *The new wording of Chapter shall come into force on 1 July 2020.* *See Transitional Provision*]

**Section 34.** For forcing the employee who does not participate in a strike to assume the work of the striking employees, and also for hiring employees to replace the striking employees in order to prevent or suspend the strike or to hinder the fulfilment of the demands of the striking employees, a fine from twenty-eight to seventy units of fine shall be imposed on the employer if it is a natural person but a fine from seventy to one hundred and forty units of fine – if it is a legal person.

[*17 October 2019 /* *The new wording of this Section shall come into force on 1 July 2020.* *See Transitional Provision*]

**Section 35.** For inviting to an illegal strike as a result of which an illegal strike takes place, a fine from twenty-eight to seventy units of fine shall be imposed on the employee or the authorised official of a trade union.

[*17 October 2019 /* *Section shall come into force on 1 July 2020.* *See Transitional Provision*]

**Section 36.** For continuing an illegal strike, a fine from twenty-eight to seventy units of fine shall be imposed on the authorised official of a trade union.

[*17 October 2019 /* *Section shall come into force on 1 July 2020.* *See Transitional Provision*]

**Section 37.** The administrative offence proceedings for the offences referred to in Sections 34, 35, and 36 of this Law shall be conducted by the State Labour Inspectorate.

[*17 October 2019 /* *Section shall come into force on 1 July 2020.* *See Transitional Provision*]

**Transitional Provision**

[*17 October 2019*]

Amendments to this Law regarding deletion of Section 19, Paragraph three, Clause 4 of this Law and the new wording of Chapter VIII shall come into force concurrently with the Law on Administrative Liability.

[*17 October 2019*]

This Law has been adopted by the *Saeima* on 23 April 1998.

President G. Ulmanis

Rīga, 12 May 1998