



# STRIKE SCHOOL

## QUESTIONS AND ANSWERS

*Our union, representing more than 500 City of Berkeley CSU / PTRLA workers is approaching a strike to protest management's unfair labor practices..*

*Our members have raised a number of questions. Here we provide answers.*



### ***How long will a strike last?***

We have given official notice to the City that we will strike for two days: November 20 and 21.

### ***Can I be fired or retaliated against for striking?***

No. The law protects workers who are exercising their right to take legal collective action.

### ***Is striking legal?***

Yes. The right to strike is one of the most important tools a public sector union and its members have to fight for change and stand up to unfair labor practices.

### ***What will happen if I cross the picket line? Can the union sanction me?***

There is no provision for “sanctioning” members who cross the picket line.

But you should consider how this will affect your relations with your coworkers if they are out and making sacrifices you will benefit from while you are making it more difficult for them to win a FAIR contract.

### ***Can we just call in sick on the day of the strike or take vacation time?***

We encourage employees not to call in sick. Besides the fact that management is likely to look

suspiciously at a sick day claim on the day of the strike or that you will not have time to get vacation approval for the day, a strike is not a day off. It is a different kind of workday, one to protect your job and your conditions. We will need everyone to show up and be on the picket lines.

### ***When we are on strike, do we lose pay for that time?***

The employer will not pay wages while we are out on strike. Other forms of compensation such as your benefit accruals for the time striking could potentially be lost as well. It will be up to all of us to ensure the strike is successful so the bargaining team has more ability to minimize the short-term loss to employees from striking.

### ***Will the union pay us while we are out on strike?***

No. We will be sacrificing our pay to strike for justice, fair treatment and our futures.

### ***What if I am an essential worker? Don't I have to cross the picket line?***

No. Management has not identified any essential workers who will be required to work.

### ***What about other unions? Will they support our strike?***

**Public sector employees have an individual right to honor another union's strike and not cross a picket line, even if their union's MOU contains a no-strike or sympathy strike clause**, according to a 2018 San Francisco County Superior Court decision (PERB Decision No. 2609-I). We fully expect all union members to respect our picket lines.

### ***What about probationary employees?***

The law is clear: Workers who are exercising their right to take legal collective action are protected, and retaliating against workers for such actions is prohibited. As a union, we have not seen employers retaliate against striking probationary employees, and we are fully prepared to fight against any such retaliation.

### ***How will I know what is going on?***

We will use all available methods to keep our members informed and up to date, including email, text messages, phone calls, and our websites:

- <https://berkeleyseiu1021.org/>
- <https://www.seiu1021.org/city-berkeley>