1981

Supervisor's Guide In A Strike, circa 1981

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Supervisor's Guide In A Strike, circa 1981

Abstract
A supervisor's guide to labor law as it relates to strikes

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I. INTRODUCTION

A. What a supervisor does or does not do may well win or lose a strike.

B. Knowing and following the law is extremely crucial in a strike situation - much more so than in a campaign situation.

C. Strikers can be permanently replaced and can not displace those employees hired to replace them during or after the strike.

   (1) This advantage can be "blow out of the water" if supervisors commit unfair labor practices.

   (2) If unfair labor practices are committed, strikers have an absolute right to their jobs back, even if that means you have to terminate the strike replacements you hired. If you don't, such strikers will receive back pay for every day they don't work after they unconditionally offer to return to work.

II. WHAT YOU MUST NOT DO (IF YOU DO YOU COMMIT AN UNFAIR LABOR PRACTICE AND "BLOW THE BALLGAME")

A. Do not attempt to talk employees into coming to work if a strike occurs, or before a strike occurs.

   (1) Although it is legal to solicit an employee not to strike or to return to work IF NO THREATS OR PROMISES ARE MADE - DON'T DO IT!! unless and until you are advised exactly how to go about it.

   (2) If a striker calls you at work or at home and wants your advice on what to do (come to work or not) - TELL HIM THIS AND THIS ONLY (also try to have somebody pick up the phone as a witness - strikers sometimes don't tell the truth about what you said).

"Charlie, I appreciate your call and concern. We're open for business and you're welcome to come back. You have a right to come to work and you have a right to strike. It's your decision to make. Naturally, I'd like to see you back to work, but the decision is yours to make. That's about all I can tell you, if you need more information you'll have to call Jack Smith at the main office. Sorry I can't say anymore to you but the law restricts me quite a bit. Thanks for calling. Bye."