

# JCEA Strike Prep Materials

## What you need to know

### **Process for organizing a strike**

1. Strike pledges are used to show management we're serious and assess support for going on strike.
2. Bargaining Team calls for vote: Our bargaining team calls for a strike vote based on what's happening at the bargaining table.
3. Strike Vote: If a strike authorization vote is called for by our bargaining team, we will hold vote meetings throughout the county.
4. Decision time: If members authorize a strike, the bargaining team has the ability to call a strike based on meeting the required timelines under the law which includes both sides laying out final offers and a "cooling off" period. The bargaining team will only call a strike if they believe our striking will result in a better settlement.

### **Strike FAQ**

#### **Why are we preparing for a strike?**

In recent years, County wages have fallen behind the cost of living, the cost of our healthcare plan has outpaced members' ability to pay, staff have been laid off, and budgets have been cut. Meanwhile, management has given themselves large raises. We have been disrespected and ignored for too long. It's time to show that we are united and we will not settle for a contract that does not include affordable healthcare and meaningful wage increases.

#### **What happens next?**

If we vote to authorize the bargaining team to call a strike, they can do so at anytime. We are required to give a minimum 10-day notice, and declare the date and time that the strike will begin. Management is also free to impose the terms of their final offer on us with reasonable notice.

#### **Will bargaining continue during a strike/preparations?**

We are prepared to bargain at any time, even during strike planning and preparation and during a strike. The goal of a strike is to get a fair contract, so we will continue to meet with management even during a strike as long as they are willing to bargain fairly.

#### **Who decides to conduct a strike?**

You do. Our bargaining team, once given authorization by our members through strike votes, will make the decision to call for a strike.

#### **Who can vote?**

All members in good standing.

#### **Who can strike?**

All represented employees covered under our collective bargaining agreement are strike-eligible.

**How long would a strike last?**

We will decide. In the past, strikes have been relatively brief, lasting for one week or less. The bargaining team will continue trying to reach an agreement with the County while we are on strike, and will call off a strike when a tentative agreement is reached.

**If the strike lasts long enough will there be strike benefits?**

Yes. The details will need to be approved by the 503 board of directors, but in the past a stipend of \$400 per week for strikes lasting more than 7 days has been available, in addition to money from a hardship fund to cover any expenses that result from lost pay.

**What are the strike activity requirements to qualify for strike benefits?**

TBD

**When will strike benefit applications be available?**

TBD

**Are all members expected to picket?**

Yes. It is essential that we have strong picket lines throughout our strike to keep people from crossing our lines and to allow other unions and allies to support our strike. Strike benefits and hardship aid are only available to members who show up on the picket lines. Accommodations will be made for members with disabilities that prevent them from joining a picket line.

**Can I bring my family/spouse/kids to the picket line with me?**

Yes! The picket line is a place for the whole family. For many of us, going on strike is about being able to provide for our family members and make a better life for our kids. Having family members join us on the picket line helps demonstrate the reason we need a fair contract.

**What happens if a represented worker crosses our picket line?**

While the law allows unions to sanction members for anti-union activity, and this has been done in rare occasions, this has never been an effective way to organize strike support. We would do all we could to convince fellow workers that it is in their best interests now and in the future to honor the line until a fair settlement is reached.

**What about health insurance during a strike?**

You will not lose health insurance during a strike. Health Insurance for Jackson County employees is not provided by the County itself, it is brokered by the Union with insurance providers. However, County employees may see a reduction in the amount of money that the County pays towards their health insurance premiums, as these contributions are prorated based on the number of hours that a County employee works. Support for workers whose health insurance premiums are temporarily increased by a strike are still being explored by the Union.

**Can I use accrued vacation and sick leave during a strike?**

No, workers cannot use or accrue leave during a strike.

**How will the strike affect retirement benefits and seniority?**

Strike time is treated as unpaid leave. Strikers do not receive retirement benefits or seniority credit when they are on strike.

### **Can strikers get unemployment benefits while on strike?**

No. You are not eligible to receive unemployment benefits while on strike.

### **Can anyone be fired or replaced for striking?**

You cannot be disciplined for participating in a lawful strike. Although the law allows the employer to permanently replace striking workers, it has not happened in previous public sector strikes and we would not return to work without protecting all workers as part of the strike settlement.

### **Can I strike if I'm in trial service?**

Yes. Trial service workers have the same protections as all other represented workers participating in a strike.

### **Won't a strike play into their hands by saving management money?**

A strike is our collective statement of power and purpose. We are taking the power out of the County's hands and standing together to demand fair treatment. The money that management saves doesn't make up for the power they lose when we stand united.

## **9 Things You Can Do To Prepare For A Strike**

1. Begin immediately to save money. Lots of small savings can build up to a significant amount. Brown bag it to work instead of eating out. Don't stop for that latte at the coffee bar. Vacation locally rather than take a trip. Wash your own car. Hold off on big purchases until the contract is settled.
2. If we strike, inform your creditors (credit cards, mortgage company, loan office). Creditors greatly appreciate knowing this and consider such advance warning to be the act of a responsible debtor. Don't keep them in the dark.
3. All SEIU members have access to Union Plus benefits. Check out the services provided through Union Plus that help during a strike (note, many benefits apply only after a prolonged strike): <http://www.unionplus.org/life-planning-services-legal/strike-benefits>
4. Meet with your co-workers to make a plan for raising money for the hardship fund using the ideas below—or create your own ideas.
5. Go as a group to change your W-4 form. Let personnel or payroll know why.
6. Set up a "Strike Support Food Bank" drop box in your break room. If we don't strike, contribute this food to the Oregon Food Bank.
7. Involve your family. If your spouse, child, mother, father, or friend is a member of another Union, ask them to approach their Union for a donation to the strike fund. Send a delegation.
8. Set up a child care bank so people can look after each other's kids while they're on the picket line.
9. Ask for solidarity. If there are SEIU members in your area who are prohibited from joining our strike (i.e. private non-profit or Southern Oregon University workers) because they are under a different contract, ask them what they are willing to do to support the strike.

## **Working Under An Expired Contract**

What happens when a contract expires?

Jackson County employees have been working under an expired contract since July 1, 2019. The law basically requires management to maintain the status quo and prevents changes in workers' wages, hours, and working conditions – including leaves such as vacation, sick time, and personal days. Management cannot unilaterally change any of these items simply because the contract has expired.

If we don't reach an agreement on a new contract, is it possible for management to force changes to our wages, hours, and working conditions?

Yes. Under Oregon law, the parties must engage in mediation for a minimum of 15 days before either party may declare impasse. After we reach a formal impasse at the bargaining table and satisfy a 30-day cooling-off period, management would be able to implement their final contract offer and the union would be released to go on strike after a vote of the membership. We are not at this point yet and will continue to negotiate in good faith in hopes of reaching a fair agreement.

What protections do I have against unfair treatment when a contract expires?

The contract's just cause provision, which protects us against unfair discipline and discharge, remains in effect after the expiration of the contract. In some circumstances, you may also have protection under other State laws.

What happens to my health care when the contract expires?

It will continue as is. Health care is part of your benefits and management cannot unilaterally change or stop paying for health care while bargaining continues to progress.

What happens to our ability to file grievances or arbitrations on events that occur after the contract expires?

The grievance and arbitration procedures are some of the few items that are affected by the expiration of the contract. Management is not obligated to accept new grievances or arbitrations during this period. However, if the events or dispute at issue took place before the contract expired, management would have to follow the grievance arbitration process even if the grievance was filed after the contract expired.

What happens to grievances or arbitrations that were filed before the contract expired?

They will continue forward unaffected.

