



# RIGHT TO STRIKE – FAQs



## Is a strike legal?

Employees have the right to strike under California law, assuming the Union has followed the correct legal procedures. It is illegal for an employer to threaten, intimidate, discriminate, or terminate any employee for exercising their right to engage in a legal and protected strike.

## Is a strike protected at PERB?

Local 1000 must carefully monitor the bargaining process to ensure that if a strike is necessary, the timing, planning, and actions safeguard that our members' right to a strike is protected by PERB.

## Will I get paid?

Workers are not eligible to receive pay, leave, or unemployment for a strike action. While Local 1000 has a strike fund, those funds will not replace worker wage levels.

## What happens to the Contract?

Once a contract expires, terms of the contract remain in place until such time as the employer and Union agree to different terms or reach impasse and the employer imposes different terms. However, it's good to double-check because some terms of the contract have their own expiration dates.

## Will I have a right to return to my job after the strike?

Yes, if the strike was legal and protected. That's why it's so important that the Union carefully monitor the bargaining process and the steps leading up to a strike.

## Can my worksite go on its own strike or walk-out?

No. Strikes must have Union approval.

## Can my worksite go on a sick out?

No. Sick outs are not authorized.

## What about solidarity breaks and informational picketing? Are they the same as strikes?

These types of solidarity actions are exactly what workers should do to support bargaining. The Union will plan a number of solidarity actions and information pickets throughout the bargaining process. We must work together to generate strength and momentum through the bargaining process and involving as many workers as possible.

## What is impasse?

Impasse is the time in bargaining where both sides have reached a point where no more progress can be made at the table. Either side may declare impasse. However, the State may then have the right to implement its last, best, and final offer. The Union has the right to seek mediation of remaining disputes. Because of the threat of possible implementation, the Union must carefully monitor the bargaining process and the steps leading up to impasse.

## Do I get to vote on a Strike before it happens?

Strikes must be approved by a majority vote of the affected group of members. That vote will take place before the Union calls for a strike in your area.