



STRIKE VOTES SCHEDULED STATEWIDE SUPPORT YOUR CO-WORKERS VOTE TO AUTHORIZE SYMPATHY STRIKE

UC IRVINE DATES, TIMES, AND LOCATIONS

Sunday, October 27

5:00 am–8:30 am

Psych (Bldg. 3) Conf. Room 101 Patio

9:00 am–4:30 pm

Douglas Hospital (DH) Cafeteria

5:00 pm–8:30 pm

Psych (Bldg. 3) Conf. Room 101 Patio

9:00 pm–12 Midnight

Douglas Hospital (DH) Cafeteria

Monday, October 28

6:00 am–9:00 am

Outside Psych (Bldg. 3)

Conf. Room 101

6:00 pm–9:00 pm

Outside Psych (Bldg. 3)

Conf. Room 101

Wednesday, October 30

5:00 am–8:30 am

Psych (Bldg. 3) Conf. Room 101 Patio

9:00 am–4:30 pm

Douglas Hospital (DH) Cafeteria

5:00 pm–8:30 pm

Psych (Bldg. 3) Conf. Room 101 Patio

9:00 pm–12 Midnight

Douglas Hospital (DH) Cafeteria

What is a Sympathy Strike?

A Sympathy Strike means one union supports the primary strike of another union. This happened a few months ago when AFSCME's Patient Care Tech unit held a two-day strike to protest UC's implementation of Pension and Retiree Health Two-Tier, PTO, and other takeaways; in that situation, UPTe had a sympathy strike in support of AFSCME's issues. CNA was unable to strike at that time as our contract was still in effect, with a no-strike provision. However, our contract expired since then, on June 30.

Why do a sympathy strike?

Even though we are not yet at impasse with UC, we have the right to support other unions with a sympathy strike. UPTe's Health Care Professional bargaining unit has reached impasse with UC and recently went through fact-finding. UPTe is fighting against UC's pension and retiree health two-tier proposal, and they have several other issues as well. Both of the AFSCME bargaining units (Patient Care Techs, and Service Workers) have been through impasse and fact-finding, and UC has implemented the two-tier and other takeaways; AFSCME is still fighting against those issues, and they have a number of proposals regarding patient care that UC has refused to deal with. In addition, on September 12, 2013 the Public Employee Relations Board (PERB) charged UC with illegally harassing and threatening AFSCME members in relation to their earlier strike.

We work alongside the UPTe and AFSCME members throughout the UC system, and we know how these issues affect them -- UC's failure to deal with key patient care concerns, UC's Pension and Retiree Health two-tier proposals, and other UC takeaways. When UPTe struck in sympathy with AFSCME earlier this year, the California Public Employment Relations Board (PERB) expressly acknowledged that the sympathy strike was lawful even though UPTe was not yet at impasse in its own negotiations. The courts in other cases have also recognized the right to engage in sympathy strikes, stating that "an integral part of any strike is persuading other employees to withhold their services and join in making the strike more effective." (*NLRB v. Southern Cal. Edison*, 646 F.2d 1352 (9th Cir. 1981)) In one of our own cases, the court explained that, "Sympathy strikes are a means by which workers can demonstrate their solidarity with their brothers and sisters, who are engaged in a primary strike. Respect for another union's picket line leads to a stronger labor movement." (*Children's Hospital v. California Nurses Assn*, 283 F.3d 1188 (2002))

We are always stronger together, and if we expect UPTe and AFSCME members to support us in the future, we need to support them now, whether they strike over the unfair implementation, over UC's failure to deal with other important issues, or because of UC's unfair and illegal actions.

Can I be fired or disciplined for striking?

Since our contract has expired, we have the right to conduct a legal strike, and a sympathy strike under these circumstances is legal. It would be a violation of the law for UC to take any adverse action against any nurse represented by CNA for supporting UPTe's efforts to win a fair contract.

Who are AFSCME's and UPTe's members?

AFSCME represents most ancillary workers in the Med Centers and Student Health Centers, including Rad Techs, Respiratory Therapists, LVNs, nursing assistants, house-keeping, Central Supply, dietary, etc. UPTe represents non-RN health care professionals, including Social Workers, Case Managers, Clinical Lab Scientists, Pharmacists, etc. In addition, both UPTe and AFSCME represent various workers in other areas of the UC campuses.

What are our next steps?

We will be conducting membership meetings and sympathy strike authorization votes at all UC Med Centers and Student Health Centers over the next few weeks. Please watch for additional information with specific dates and locations for your facility.

Patients Are Our Special Interest.

12,000 UC RNs Will Be Heard!