

# HOW TO STRIKE AND WIN





# WHY STRIKES MATTER

**Strikes are where our power is. Without a credible strike threat, workers are at the boss's mercy.**

“Why do you rob banks?” a reporter once asked Willie Sutton. “Because that’s where the money is,” the infamous thief replied.

Why go on strike? Because that’s where our power is.

Teachers in West Virginia showed it in 2018 when they walked out, in a strike that bubbled up from below, surprising even their statewide union leaders.

No one seemed concerned that public sector strikes were unlawful in West Virginia. “What are they going to do, fire us all?” said Jay O’Neal, treasurer for the Kanawha County local. “Who would they get to replace us?” Already the state had 700 teaching vacancies, thanks to the rock-bottom pay the strikers were protesting.

After 13 days out, the teachers declared victory and returned to their classrooms with a 5 percent raise. They had also backed off corporate education “reformers” on a host of other issues.

The biggest lesson: “Our labor is ours first,” West Virginia teacher Nicole McCormick told the crowd at the Labor

Notes Conference that spring. “It is up to us to give our labor, or to withhold it.”

That’s the fundamental truth on which the labor movement was built.

Strikes by unorganized workers led to the founding of unions. Strikes won the first union contracts. Strikes over the years won bigger paychecks, vacations, seniority rights, and the right to tell the foreman “that’s not my job.” Without strikes we would have no labor movement, no unions, no contracts, and a far worse working and living situation.

In short, strikes are the strongest tool in workers’ toolbox—our power not just to ask, but to force our employers to concede something.

## DISCOVER YOUR POWER

The key word is “force.” A strike is not just a symbolic protest. It works because we withhold something that the employer needs—its production, its good public image, its profits, and above all its control over us.

As one union slogan has it, “this university works because we do”—or this company, or this city. A strike reveals

something that employers would prefer we not notice: they need us.

Workplaces are typically run as dictatorships. The discovery that your boss does not have absolute power over you—and that in fact, you and your co-workers can exert power over him—is a revelation.

There’s no feeling like it. Going on strike changes you, personally and as a union.

“Walking into work the first day back chanting ‘one day longer, one day stronger’ was the best morning I’ve ever had at Verizon,” said Pam Galpern, a field tech and mobilizer with Communication Workers Local 1101, after workers beat the corporate giant in a 45-day strike in 2016.

“There was such a tremendous feeling of accomplishment. People were smiling and happy. It was like a complete 180-degree difference from before the strike,” when supervisors had been micromanaging and writing workers up for the smallest infractions.

In a good strike, everyone has a meaningful role. Strikers develop new skills and a deeper sense that they own and run their union. New leaders emerge from the ranks and go on to become stewards.

New friendships are formed; workers who didn’t know or trust one another

before forge bonds of solidarity. A few stubborn co-workers finally see why the union matters and sign on as members. Allies from faith groups, neighborhood groups, or other unions adopt your cause. You and your co-workers lose some fear of the boss—and the boss gains some fear of you.

In all these ways and more—not to mention the contract gains you may win—a strike can be a tremendous union-building activity.

## JUST THE THREAT

Sometimes coming to the brink of a strike is enough to make your employer blink. Workers at an Indiana truck plant in 2016 got as far as hauling burn barrels to work every day to show they were ready to hit the picket lines. The company, Hendrickson International, averted a strike by agreeing to phase out two-tier wages and pensions.

The benefits of a humbled employer can last beyond a single contract cycle. After Seattle's grocery chains in 2013 came within two hours of a strike—the union dramatized the impending deadline with a giant countdown clock—the chains scrambled to avoid a repeat in 2016 by settling a new contract before the old one expired.

The transformation can also reach beyond the workplace. Strikes open up our political horizons, expanding our sense of what's possible if we use our power.

This summer, a general strike in Puerto Rico brought down two corrupt governors in quick succession. This fall, Amazon workers struck for a day as they pushed their employer to take on climate change. Large-scale strikes will be crucial if we expect to rescue our world from the corporations that promote poverty and environmental collapse. The 1% are not going to hand us anything.

## A NEW UPSURGE?

Strikes in the U.S. have declined dramatically over the past half-century. Since 1947 the Bureau of Labor Statistics has tracked strikes and lockouts involving 1,000 or more workers.

From 1947 through 1981, there were hundreds of such big strikes each year. Last year there were 20. The decline in strikes is a reflection of unions' diminishing power and numbers—and a reason for it. But strikes aren't dead. See page 8 for a sample of recent walkouts, large and small.

Over the years it has gotten harder (in some ways) to strike and win. Some of the best tactics have been outlawed; some of the best sources of leverage

have been neutralized.

A hundred years ago, striking took physical bravery. Your employer might hire armed thugs to attack you. Today in the U.S. that's less likely. Employers have found more sophisticated ways to weaken strikes.

Still, it takes real courage to walk out. You might lose your job, and a court might deem your firing legal. If striking is illegal in your state or sector, you might have to break the law. If union leaders are reluctant to strike, you might have to out-organize them.

Or the union could miscalculate—you might find you don't have enough leverage to win. You might have to walk back in empty-handed.

Workers today have to soberly assess their power up against rich, complex, global corporations. Sometimes a strike alone may not be enough to win; it might have to be part of a larger campaign. But the strike itself remains a powerful tool—economically powerful, personally transformative to the participants, and inspiring to the public.

The spreading wave of teacher strikes has won many material improvements for teachers and schools, and has raised teachers' expectations across the country for what they and their students deserve. It has caught the public imagination, rallied whole communities behind the strikers, and put strikes back on the agenda.

Optimists in the labor movement (and worriers in the business world) are asking, who's next? Will workers in the private sector catch the strike spirit? In 2019 we saw General Motors auto workers, Toledo nurses, Pennsylvania locomotive workers, Uber and Lyft drivers, and Stop & Shop grocery workers all hit the bricks. Could this be the beginning of the next big upsurge? Let's make it so.

## ABOUT THIS MANUAL

This booklet is meant to be of use to anyone who wants to know how to strike and win, whether you're an officer charting a course for your union or a group of rank-and-filers who want to lead from below.

Successful strikes usually rely on months or years of groundwork. So this manual starts long before, describing the contract campaign and preparation required to put a strike on the table.

The stories and quotes included here are drawn mainly from *Labor Notes* reporting, often from the frontlines of the strikes described, and from our handbooks.

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[labornotes.org/strikes](http://labornotes.org/strikes)

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# HOW STRIKES WIN

## Assess all the types of leverage the union can bring to bear: how will you make the employer cry uncle?

A good strike is an exercise of power, not just a rowdier form of protest. There is something you want, and a decision-maker who could give it to you but doesn't want to. The point of the strike is to make it harder for this decision-maker to keep saying no—and easier for the decision-maker to stop the pain by saying yes.

For a private-sector employer, the primary way a strike exerts power is by hurting profits.

For a public-sector employer, it is by interfering with the normal functions of public service and creating a political crisis that elites must respond to.

It's essential to carefully appraise all the forms of power, or leverage, the union can muster. Don't hit the bricks without assessing what it will take to win.

Once your leverage is identified, you'll have to do the organizing legwork to make it real. Leverage is only potential until you bring it to life. The union will rely on its own internal solidarity to remain united in the face of intimidation and to generate widespread solidarity from others. The advice in the rest of this manual is designed to build that internal and external solidarity.

But the best organizing in the world may fail to move your employer if you don't start with a solid plan to win. That's an analysis of how the actions by workers and supporters will add up to enough pressure to make the decision-maker back down.

### ANALYZE YOUR LEVERAGE

To hurt profits, the union must stop the production or distribution of goods or services. You will need to make sure that union members have withdrawn their labor—and that no one else is doing the work either.

Standing earnestly on the picket line may not be enough. Verizon strikers

in 2016 used roving pickets (see page 19). How about seriously blocking the entrances? How about interrupting recruitment of replacements? How about preventing the delivery of parts or supplies? How about stopping the employer from selling the goods it's made?

Historically unions have used mass picketing, striking suppliers, and even sit-down strikes. They have used solidarity to strike entire industries or to call secondary boycotts of the employer's allies. Most of these tactics are now outlawed. (See page 14.) Again, a union that plans illegal action will need to have a firm grasp of the risks and a solid plan.

In the public sector most employers save money during a strike because they keep collecting taxes but don't pay salaries. Since the strike is not hurting

the employer financially, the leverage is different. The strike has to be one component of a mobilization that brings unbearable political pressure on decision-makers.

### PUBLIC OPINION ON BOARD

In either a public or a private sector strike, you will need a plan to get public opinion on board and to get your allies to take strong action. (See page 24.) In a teacher strike, for example, getting the parents on your side is crucial—the inconvenience to them is what generates the political crisis you need, but only if they blame the district and not the union. Your leverage might also include hitting the district's bottom line; is there a state funding formula based on how many students show up each day? In a retail strike, your leverage is the sales your employer is losing—which depend on your strong picket lines and customers' unwillingness to cross them.

Look for other pressure points on your employer, such as its relations with suppliers, customers, and public



officials, and enforcement of government regulations it may be violating or tax breaks it is seeking.

Kaiser mental health clinicians in California have waged repeated strikes demanding shorter wait times for patients and a fix for chronic understaffing. Their union published a white paper showing how Kaiser was violating California law and filed claims with state agencies, which eventually got Kaiser fined \$4 million. At the same time the company faced class-action lawsuits from families of patients who died by suicide after not receiving timely care.

## TAKE THE MEASURE OF YOUR OPPONENT

The union needs to take a hard look at its place in the employer's overall business and to use smart tactics that exploit the union's advantages.

Because of their small numbers, workers at seven Verizon Wireless retail stores in Brooklyn and Massachusetts would have been out on a limb if they had struck on their own. But they leaned on 39,000 fellow Communications Workers in the company's landline sector, who struck and held out until the wireless workers got a contract too.

At the same time, being able to picket the wireless stores gave the landline workers a boost. Though landlines are still profitable, the mostly nonunion wireless side of the business is far more lucrative and has been the focus of the company's investments in recent years. Pickets outside the wireless stores cut Verizon's sales in New York City by 40 percent—so both sides of the union were hurting Verizon's profits, as well as its public image.

What is your employer's economic situation? If it claims its budget is hurting, what is your response? If it's part of a larger entity, how much effect will your strike have on overall profits or on operations? Which other parts of the employer are unionized, and do you have relations with those unions?

If your ability to hurt total profits is low, do you have other sources of power to make up for that?

Which decision-makers will you need to scare—local, national, international, government officials? Who exactly has the power to give you what you want? The answer is never simply "the company." It might be CEO John Smith, who has an office, a neighborhood, a rolodex, and a calendar, and who may belong to X country club or Y congregation.

How vulnerable are customers and suppliers to pressure you can bring? Which banks provide financial backing? What's the employer's record on

safety, environment, discrimination and harassment?

Answering these questions will take research. Some unions have research departments—bring them in early. But your union probably includes members who already follow and understand the news in your industry, and others with a gift for Googling. Find and enlist your nerds!

## FIND YOUR CHOKEPOINTS

The global economy depends on goods flowing seamlessly over oceans and across borders. Factories and retailers no longer store inventory for weeks in big warehouses but count on parts and goods delivered "just in time," using ships, terminal yards, and trucks as their mobile warehouses.

It's ironic that employers introduced "just in time," which boosts profits when it's working fine, because the tight, no-errors-allowed system gives even small groups of workers enormous power—their strike can bring a much larger system to a halt. This is true for both supplier workers and logistics workers who deliver the parts.

One day in 2014, workers at the Piston Automotive factory in Toledo, Ohio, went on strike for union recognition at 9 a.m.—and by 5 p.m., they'd won. The 70 workers made brake systems and struts for the profitable Jeep Cherokee, built by Chrysler in a plant across town.

Their strike could have quickly shut down Jeep production. Union organizers warned Chrysler managers, who undoubtedly leaned on Piston Automotive to settle.

Is your workplace part of a system that depends on all parts working smoothly together? Do you have relationships with the workers at the most crucial nodes?

Chokepoints also exist within workplaces. Which department in your workplace is the "bottleneck"? Are the members there aware of their power? Has the union made a special effort to develop leaders there?

During the organizing drive at the Smithfield Foods pork plant in 2006, the key was the Livestock department, where live hogs were unloaded off trucks. One sweltering morning, the drinking water in Livestock was hot and had ants floating in it. With temperatures nearing 100 degrees, the workers decided not to work until they had clean, cold water.

For eight hours, 25 workers sat in the barn, their arms folded. The whole plant stopped. Trucks full of hogs waited outside. Supervisors tried and failed to run the hogs in by themselves.

The next morning the Livestock workers got their water. Their impromptu sit-down strike was a vivid demonstration

## THE ESSENTIALS

- How will your strike hurt profits or create a political crisis?
- Who are the decision-makers with the power to give you what you want?
- How will you stick it to them?
- What are the chokepoints in the system your workplace is part of and how can they be squeezed?
- When does your employer need you most?

of workers' power—and the organizing drive grew from there.

## IT'S IN THE TIMING

Bosses need workers, but they need us some times more than others. A smart union will time its contract expiration for management's peak season, or it can pull an unfair labor practice strike (see page 14) at a favorable moment.

For years, transit workers in New York City had a contract that expired in December, when shoppers were jamming the buses and trains. Farmworkers, even without a union, have made gains by laying down their buckets just when the produce is ripe on the vines.

If there is no obvious production season, are there moments that would be embarrassing—say, when a big shot is planned to visit? Workers at the Four Roses bourbon distillery walked out just as their industry was preparing to welcome thousands of tourists to the annual Kentucky Bourbon Festival.

In 2019 the contract for 31,000 Stop & Shop grocery workers in New England expired on February 23. But workers didn't strike till April 11—just 10 days before Easter. Their action cost the company \$345 million.

Fighting for a first contract in 2019, bus drivers in Alexandria, Virginia, took a strike vote just as the region was preparing to shut down most of its commuter rail system for repairs. Thousands of residents who commuted to D.C. every day would be relying on bus service all summer—unless the drivers went on strike.

Drivers educated the riding public by handing out flyers at transit hubs. "When the pressure started coming from the community on the mayor and on [management], they knew we had them," said driver Tyler Boos. Workers won complete wage parity with drivers in other Northern Virginia cities—on the strength of their strike vote.





# HOW STRIKES LOSE

**Any plan to revive the strike must take the risks seriously. There are good reasons not to strike too hastily.**

The past few decades have seen a number of high-profile strikes where heroic workers took a brave risk and a big fall. The stories behind these losses reveal some ways your strike could go off the rails.

## FEAR OF PERMANENT REPLACEMENTS

One painful lesson is the incredible damage caused when employers discovered that they could tell strikers, “Don’t come back!”

Permanent replacements, described by a former Labor Board chair as the “nuclear weaponry in the arsenal of industrial warfare,” were relatively rare in the post-World War II era. But that changed when President Ronald Reagan broke the Professional Air Traffic Controllers Organization strike in 1981.

All 11,000 PATCO members were fired and blacklisted. They were never

allowed to work for the federal government again.

In hindsight, the Air Traffic Controllers’ strike looks reckless. They charged out on strike alone, without asking other unions for support. They made no plan to develop public sympathy for the \$5,000 pay hike they were demanding, at a time when wages were in decline.

But they had reason to be confident—and not just because PATCO had backed Reagan’s election. As highly skilled workers, they were difficult to replace.

“Most employers would have to be pragmatic and say, ‘We will get rid of the ringleaders and everyone who comes back on our terms will be allowed to work,’” said labor historian Joseph McCartin, author of *Collision Course: Ronald Reagan, the Air Traffic Controllers, and the Strike that Changed America*.

Instead, “Reagan broke this strike in a nuclear fashion, and on the biggest

public stage imaginable.” He showed that it’s possible to find or train replacements even for a highly skilled workforce.

The genie was out of the bottle. Ever since then, employers have known they have the option to use permanent scabs to break strikes.

That doesn’t mean they’ll do it. A mass firing has serious consequences that employers weigh—chaos on the job, sometimes a lack of qualified

## THE ESSENTIALS

- Don’t go out without a plan.
- Use all your leverage, not withdrawal of labor alone.
- Consider a ULP strike.
- Can you count on your International?
- What is your plan for dealing with scabs?

replacements, damage to profits, quality, and public image.

But by adding this card to the deck, Reagan upped the fear factor. Employers were quick to use the threat against strikers, and “in almost every case the unions buckled and in some cases the companies got rid of the union entirely,” McCartin said.

If you’re planning an open-ended strike, you’ll need a plan to counter this threat. One approach is to make your strike an unfair labor practice strike, which grants you legal protection against permanent replacements, so long as the courts uphold the ULP (see page 14).

Or you may need to make it too hard for your employer to bring in scabs, by occupying or blocking access to the workplace (but note these tactics are generally illegal. see page 30), or by rallying enough public sympathy and attention to your cause (see page 24).

No matter what, you’ll need to inoculate your co-workers to expect to hear this threat, and make sure everyone knows the union’s plan.

### LACK OF PREPARATION

The picket line chant “One day longer, one day stronger” is inspiring—but not always accurate. Some strikes peter out, with strikers feeling the pinch and no win in sight.

Southern California grocery workers walked the picket lines for five months in 2004, with 91 percent participating right through to the end—yet they returned to work feeling bitter.

“They got two-tier,” Lonnie Hardy, a member of Food and Commercial Workers (UFCW) Local 1036, told Labor Notes. “Everything we were going against, they got. When you stay out for five months, you want to gain something, not lose what you had.”

Years in advance the grocery chains had telegraphed their intentions to demand two-tier pay. Yet the union didn’t take advantage of this time to start organizing a member-driven contract campaign (see page 20), nor to build public support, nor to coordinate a national campaign across locals with similar contract timelines and common issues.

The union also failed to make full use of the leverage it had. It never called a consumer boycott, never got the Teamsters who represented the grocery chains’ warehouse workers and truck drivers fully on board, and quickly backed off its picketing at the distribution centers, which were key chokepoints.

To win, unions have to be prepared

to go the distance. The Detroit newspaper strike and lockout of 1995-2001 is an example where the unions thought they could win quickly, simply by withholding labor. But the local operation was part of a larger conglomerate with many other sources of revenue—and management had prepared well in advance to provoke a strike, specifically to break the unions.

Members were out of work for years. “We told people they needed to consolidate their bills *after* we went out,” said Barbara Ingalls, a member of the Detroit Typographical Union. “That should have happened six months before. Everyone should have zero credit card debt. You don’t want people to lose their house and their family.”

### SABOTAGE FROM ABOVE

UFCW Local P-9 went on strike against concessions at the Hormel meatpacking plant in Austin, Minnesota, in 1985. It was P-9’s first strike since 1933 and came over the objections of the UFCW International, which urged workers to accept the givebacks.

Unlike PATCO, P-9 galvanized community and labor support. One of its innovations was a “road warrior” program, which sent strikers around the country to speak to other unions and community groups.

But it wasn’t enough. A few months into the strike, Hormel hired permanent replacements and locked out the union. The International ended the conflict by removing P-9’s leaders and agreeing to the concessions the union had struck against in the first place.

Before walking out, assess what role you can expect your international union leaders to play. Will they be helpful, neutral, or another adversary? How much power will they have to undermine you? You may have to fight on two fronts.

### LACK OF LEVERAGE

To avoid being permanently replaced in a strike, workers at the A.E. Staley corn processing plant in Decatur, Illinois, chose to stay on the job and fight. They waged an effective work-to-rule campaign for months before the employer lashed back in 1995, locking them all out.

In the lockout, the union did many things right. It started its own “road warrior” program, modeled on P-9’s. Solidarity committees popped up across the Midwest.

Workers led demonstrations and sat down in civil disobedience in front of the plant, where they were pepper-sprayed by police. Again the workers did not

have the support of their International, which was fearful of being sued.

But in the end, none of the workers’ efforts were enough to hammer the revenue of a massive multinational corporation.

“It was an utter defeat for the workers. Staley got the contract they wanted and the bulk of union workers did not go back,” said Steve Ashby, who was deeply involved in organizing solidarity actions for Staley workers and co-authored *Staley: The Fight for a New American Labor Movement*.

The biggest lesson: when an enormous employer can eat the lost production at your workplace, you will have to shut down its capacity elsewhere. That is why national and international solidarity is so important.

“At the end of the day, if the employer can continue production with scabs and you can’t stop production or stop the sale of products, then it is impossible to win,” said Joe Burns, author of *Reviving the Strike: How Working People Can Regain Power and Transform America*. Don’t walk out without a well-considered plan to win.



Jim West / jimwestphoto.com

# RECENT STRIKES

A partial list of strikes and lockouts, 2015-2019





- **TSA sickouts**
- **AT&T Mobility**
- **Day without Immigrants**



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# PUSHING FROM BELOW



UIC GEO

## Rank and filers can organize from the bottom up to put on a contract campaign and strengthen a strike.

A strike is a powerful tool if you're looking to transform your union into one that pays attention to members' needs and wants. A rank-and-file contract campaign can become a springboard to union reform.

So the advice in this booklet is not just for union officers. The same principles apply if you're a group of members who decide to plan a more militant contract fight, with or without your officers' support. But you'll face extra hurdles.

Too many leaders are unwilling to use all the power at the union's disposal, or they're stuck in routine ways of dealing with management and members. Ultimately the power of the rank and file is to organize, themselves, a strike that can win despite lack of leadership; to vote no on a bad deal; and to make incumbents fear the next election.

Here are some ways that union activists can get things moving from the ground up. Some are from contract campaigns, not strikes. Consider where you're starting from and what's realistic in your union.

### ORGANIZE A SURVEY

In the union of graduate employees at the University of Illinois at Chicago, more than half the members are international students.

Contract talks had been bogged down for months when 15 of these members attended a negotiating session and

delivered emotional testimonies about their difficulties paying rent, getting health insurance, making ends meet without access to second jobs or public benefits, and paying steep fees back to the university.

Management was unmoved. But after testifying, the 15 decided to form an International Caucus and involve more workers like themselves in the contract campaign.

They organized a survey of international grad employees' working and living conditions, which were dire. The results undermined a similar survey from management, which had attempted to show that workers' living conditions were tolerable.

This grassroots effort jump-started the contract campaign, escalating to a three-week strike where the union won relief from fees and a big wage increase. Afterwards, some of the newly involved international workers became shop stewards.

For more on contract surveys, see page 22.

### ORGANIZE A CONTRACT ACTION TEAM

Santa Cruz County workers formed a Fair Wage Action Team (FWAT) in 1999 because they were dissatisfied with their previous contract. This group started the organizing that led to a 2002 strike.

"We started meeting in our homes

and kitchens," said Kat Shelton, a worker in homeless services, "getting facts, getting proof we were underpaid, forming committees, and looking for leaders who would go the limit."

Over the next two years, FWAT folks were elected as chapter and local union presidents. They developed a member-run email bulletin called "@@ Union Eyes" to get out their view of the issues and tie together their diverse workforce.

When it came time to elect a negotiating committee in 2002, FWAT activists were careful to leave key leaders like Shelton off the committee, free to lead field action while negotiators were tied up in bargaining.

Shelton would become "Mamma CAT," coordinator of a Contract Action Team that started as a phone tree, punctuated negotiations with mobilizations, and eventually became a picket and field action structure.

At the height of the strike her team would include 25 "top CATs" coordinating 170 CATs, or worksite leaders, able to get the word out to over 1,800 people in less than two hours.

They won the highest raises of any comparable group of workers in the state, while reaping a harvest of new union activists.

For more on CATs, see page 20.

### PUSH A POPULAR DEMAND

New York City teachers' bargaining

in 2018 coincided with a new state law that guaranteed paid family leave for most private employees. Meanwhile even teachers who had just given birth were getting zero paid leave.

Incensed, teacher Emily James started an online petition addressed to the mayor and the union president, demanding paid maternity leave for teachers: “These are women who devote their lives to helping raise other people’s children.” The petition went viral, racking up 80,000 signatures.

As the petition gathered steam, a reform caucus in the union, the Movement of Rank-and-file Educators, organized forums, marches, and walk-ins, pushing leaders to take up the issue.

When these union leaders saw a parade, they wanted to get in front of it. You know your grassroots group is winning when the officers start claiming your issue was their idea all along. Parental leave wouldn’t have happened without the grassroots effort.

### ORGANIZE A SICKOUT OR A WILDCAT STRIKE

Detroit teachers organized a slew of rolling sickouts in 2015-2016 drawing attention to falling ceiling tiles, water damage, broken equipment, mice-infested classrooms, pay cuts, rising health care costs, inflated work hours, loss of prep time, administrative bullying, abusive evaluations, and the district’s failure to bargain with the union while it sunk money into a consulting firm.

At first teachers started organizing the actions in just a small number of schools. Then the school district’s executive declared the actions “unethical”—sparking much greater interest. Four hundred indignant leaders joined a conference call. By forwarding text messages, the teachers organized a day of action that shut down 88 out of 97 schools.

When the district tried to stiff teachers on their salaries a few months later, another mass sickout closed even more schools and attracted national press coverage. By this time the union leaders were on board, and the teachers won on the pay issue.

In Oshawa, Ontario, last winter, auto workers angry at General Motors’ plan to close their plant pulled off a sit-down strike without authorization from their union, Unifor.

Unifor had been holding milder actions to protest the closure—small rallies, lawn signs, and a media campaign. For the workers, the last straw was the day they gathered at work to watch a televised press conference where they hoped GM would back off its threat. Instead, GM doubled down.

So the truck-production shift sat down. Workers gathered together, refusing management’s pleas to go back to work. Management then told everyone to leave, but they refused that too.

It took hours for the union’s plant chair to drive to the factory. Eventually he arrived, gave a speech, and led workers out of the plant. Meanwhile GM had lost a shift’s worth of work. And Unifor leaders got the message that members wanted a more militant plan of action.

But be careful! These tactics are high-risk. See page 13.

### DEMAND A DEMOCRATIC VOTE

Seven days into the 2012 Chicago teachers strike, leaders brought a tentative agreement to the union’s House of Delegates and recommended ending the walkout. But delegates balked. This was a strike owned by the members, they reasoned, so members should get a chance to weigh in on whether the deal was enough—before dissipating their power by returning to work.

The delegates voted to extend the strike two more days. Copies of the entire tentative deal were distributed around the city. Instead of walking picket lines, teachers sat in circles on the sidewalks, debating it.

Informed by these discussions, the delegates reconvened and voted overwhelmingly to suspend the strike. Two weeks later, members voted by 79 percent to ratify it. And CTU probably set a record for the percentage of a union’s membership that has thoroughly read and understood its whole contract.

### ORGANIZE FOR A ‘NO’ VOTE

Finally, when it comes time to vote on a proposal, rank and filers can take matters into their own hands and force negotiators back to the table.

Forty thousand auto workers at Chrysler, organizing by word of mouth and through Facebook groups, voted no 2-1 in 2015 on a tentative agreement that would have extended the two-tier pay system. They printed up protest T-shirts, rallied, and shared photos of their local leaflets and vote-no tallies, as momentum built for a big “no.”

Their bargainers went back to the table and negotiated an improved deal.

UPS Teamsters organized a grassroots national campaign to vote no on their tentative agreement in 2013. The master contract was narrowly approved, but regional supplements and riders affecting 63 percent of workers were rejected—forcing Teamster leaders to return to the table for the whole enchilada

## THE ESSENTIALS

- Step up: do the campaign that union leaders should be doing.
- Put out a rank-and-file contract campaign bulletin.
- Everyone get sick on the same day.
- Demand time to read the tentative agreement.
- Organize a “no” vote and send ‘em back for more.

and improve the health care benefits.

Still mad that the deal did little on top concerns—forced overtime for drivers, low pay for package sorters, and harassment and surveillance for everyone—members in a few regions held out, voting no two and three times until officers overruled them.

Fury over that outcome propelled an electoral challenge that nearly toppled the Teamsters’ top officers in 2016. The vote-no movement was even bigger for the next contract, in 2018, when UPSers voted down a master contract that would create a new lower-paid tier of drivers. Union officers imposed the deal anyway. It remains to be seen whether the resulting anger is enough to carry reformers to victory in the union’s 2021 election.

As this story from the Teamsters shows, changing your union from the ground up is a marathon, not a sprint. Think of your contract campaign as one battle in a longer-term campaign to build members’ power.



Jim West / jimwestphoto.com



# WAYS TO STRIKE

Workers have invented a wealth of variations on the strike. Some are riskier than others. Some pack more punch.

**Open-ended strikes** are the classic type, the kind most often mentioned in this booklet. The strike goes on until the two sides reach a tentative agreement. Think Verizon workers in 2016, Marriott hotel workers in 2018, or Los Angeles teachers in 2019.

In **one-day or short strikes**, the union often announces in advance how long the strike will last. A short strike is less punishing for workers—but also for the

boss. It's sometimes called a “demonstration strike,” since it can be a warning shot before escalation.

Short strikes are common in health care, where it's rare to fully shut down services. Health care workers are required to give 10 days' notice before a strike, and a hospital will usually hire scabs—professionals it will have to house in hotels and pay big bucks. This means that workers' leverage is front-loaded in

the early days, when the employer incurs the biggest costs and the greatest disruption in the workplace occurs, so staying out longer won't necessarily produce an advantage for the union.

An **economic strike** is about wages, benefits, or working conditions, while an **unfair labor practice strike** is about the employer's violations of labor law. This distinction is important because ULP strikers have protections against permanent replacement that economic strikers do not. See page 14.

In **symbolic strikes**, stopping work is used as a form of public protest rather than to exercise direct power against the boss. Typically these strikes don't involve many workers and don't shut down operations. The point may be to generate attention and public pressure, like the Fight for \$15 actions in fast food that started in 2012.

**Lockouts** are the inverse of strikes: the employer refuses to allow workers back on the job until the union signs a contract on the employer's terms. Lockouts can feel scary and discouraging, as the employer seems to have the upper hand. But they actually have some significant practical advantages over strikes.

Employers are barred from permanently replacing locked-out workers. In most states, locked-out workers can get unemployment benefits. If the lockout is found to be unlawful—an unfair labor practice—the employer is on the hook for back pay. You don't have to worry about members crossing the picket line. And there's a public sympathy factor—it's obviously the employer's fault!

In **rolling strikes**, the action moves from workplace to workplace or department to department. Workers thin their pain by sharing it, while the employer continually takes the brunt.



Slobodan Dmitrov

Teachers in Washington state have used rolling strikes repeatedly to press the legislature to improve pay. They held one-day walkouts in 30 school districts in 1999 and 65 school districts in 2015.

“The beauty of the rolling strikes was that we could keep them up for a long time, because each strike had just one day’s impact on the members,” said President Kevin Teeley of the Lake Washington local. “But the legislature was subjected to the impact for many days. They saw hundreds and thousands of us daily.”

**Intermittent strikes** are a series of short strikes for a common goal—and they fall outside the protections of the National Labor Relations Act (NLRA), on the grounds that they are too disruptive to the employer. But there are some work-arounds; see page 15.

The Association of Flight Attendants’ strategy of “Creating Havoc Around Our System” (CHAOS) is explicitly a strategy of intermittent, rolling strikes. The first use was in 1993, when flight attendants at Alaska Airlines announced they would be striking random flights. The unpredictability drew enormous media attention and drove management up the wall.

Although the union struck only seven flights in a two-month period, Alaska had to send scabs on every plane, just in case. Flight attendants come under the Railway Labor Act, not the NLRA, and a court found these strikes legal.

**Recognition strikes** try to force a nonunion employer to accept the union and bargain. Common in the 1930s and again among public employees in the 1960s and 1970s, they have become rare—but they’re still possible, as workers at the Piston Automotive factory in Toledo, Ohio, proved in 2014. Such strikes can be combined with first-contract demands.

A **solidarity or sympathy strike** honors someone else’s picket line. For instance, when service and hospital workers at the University of California (AFSCME Local 3299) struck twice in 2018, professional and technical workers in the same facilities (UPTE-CWA) joined them in solidarity strikes. In 2019, both unions struck again, but this time it was UPTE who initiated and AFSCME who struck in solidarity.

It helped that both unions had expired contracts. Most contracts ban strikes while the contract is in effect; depending on the language, this may include sympathy strikes. Labor law recognizes two exceptions—if the original strike is over a serious ULP, or if you have to stop work to avoid an “abnormally

dangerous” working condition, such as a physically dangerous picket line. Non-union workers have the right to honor picket lines—but they have no legal protection against being permanently replaced, unless they are honoring a ULP strike.

Every union should add language to its contract explicitly granting the right to honor picket lines. Teamsters are known for insisting on this contractual right, which means they can helpfully tangle up freight and UPS deliveries to a struck employer. If you’re planning a strike and want Teamsters to honor it, notify their local unions and Joint Council in advance and ask for support. But if you want other unions to support your strike, you should be doing strike support work consistently for others, and long before making the ask.

**Political strikes** aim at influencing government policy, like West Coast dockworkers’ short strikes against apartheid and the Iraq War. In 1969 West Virginia miners won a state law offering compensation for black lung disease. Mass strikes by immigrants in 2006 and 2017 drew attention to detentions, deportations, and immigrant rights. From 1995 to 1998, Ontario unions held rolling strikes from city to city against the conservative government’s anti-worker policies.

**Wildcat strikes** are those not officially called by the union but rather arising from rank-and-file action—usually during the term of the contract, making them illegal. In some cases union officials may deliberately turn a blind eye.

A wave of wildcat strikes by teachers, postal workers, and other public workers in the 1960s and 1970s led to the massive growth of unions in those sectors.

Wildcats are rare in the U.S. today, but internationally they’re more common. In China all strikes are wildcats, since the only permitted union never calls one. Nonetheless strikers have won wage increases at the factory level and labor law improvements nationally.

A **sickout** is a variation on the wildcat with a little more cover—technically, the strikers call in sick. Detroit teachers in 2016 used rolling sickouts to draw attention to crumbling school facilities. During the 2018-2019 federal shutdown, TSA officers called in sick at three times the usual rate, forcing some airports to shut down whole terminals and building pressure to end the shutdown.

Sickouts can also be used in place of a one-day strike after the contract expires. But if questioned, workers should admit they are trying to pressure the employer. Sick pay should not be requested or accepted.



Jennifer McDaniels

In a **sit-down strike or occupation**, workers take over the workplace rather than picketing outside. It’s a powerful move, since the employer can’t even try to resume operations. The sit-down was big in the organizing drives of the 1930s but has become very rare.

The most famous recent example was by the Electrical Workers (UE) at the Republic Windows and Doors plant in Chicago, slated to shut down in 2008. Management began selling off the machinery but resisted paying workers the severance they were owed. Workers brought in locks and chains, prepared to lock their bodies to the machines if necessary.

After six days of occupying the plant, with hundreds of supporters rallying outside, the workers won all their demands. They went on to buy the machinery and reopen their factory as a worker-run co-op.

The **general strike** is the mother of all strikes, when workers in an entire city, state, or country shut down at once. Seattle’s 1919 general strike terrified the powerful because workers not only brought business to a halt but also reopened various services under workers’ control—setting up public dining halls, profitless grocery stores, and a barber shop co-op.

Real general strikes are illegal since 1947 and rare today, though the term gets thrown around whenever a group feels moved to call for a protest. In Puerto Rico in 2019, though, a general strike combined with massive demonstrations forced two successive governors to resign—it was a political strike as well.

# DEALING WITH THE LAW



Monika Warner

## The law is stacked against strikes, so knowing the law and when and whether to break it is essential.

Most U.S. workers have some law granting them the right to bargain collectively, but not all strikes are protected by the law. And even when a strike is legal, many of the tactics that would make it maximally effective are not.

An essential resource is longtime labor attorney Robert Schwartz's book *No Contract, No Peace: A Legal Guide to Contract Campaigns, Strikes, and Lockouts*. Consult an attorney as you make your plans. The Trump Labor Board has been changing many legal interpretations, all for the worse. If you anticipate a legal battle, budget for it.

### ONE OPTION: BREAK THE LAW

As the saying goes, "There is no illegal strike, just an unsuccessful one."

The great postal strike of 1970 was the

largest wildcat in U.S. history. No one got fired. After eight days out, postal workers won full collective bargaining rights—though still no right to strike.

West Virginia teachers brought their state government to its knees in 2018. Legally they could have been fined or outright replaced. But they weren't, because they had widespread public support and because there was no one to replace them. They won.

Don't be reckless, though. A walkout with no legal protection can also end in disaster—remember the air traffic controllers.

Make a frank assessment of your options, the possible consequences, how united members are, how much risk the group is willing to take, and how much leverage you have. Breaking labor law

isn't a decision for a lone member to take, since the whole union might suffer from the results.

### USE THE ULP

If you can, it's always safer to frame your strike as an unfair labor practice (ULP) strike rather than an economic strike.

That's because under the National Labor Relations Act (NLRA), economic strikers may legally be permanently replaced. After the strike ends, they have the right to be called back only as positions open up.

When a ULP strike ends, workers have an absolute right to their jobs—even if the employer must dismiss scabs it has promised permanent employment. If the employer disregards the law, it can be ordered to reinstate strikers with back pay.

Likewise, if the employer illegally locks out ULP strikers, it will be on the hook for back pay.

Some examples of ULPs the employer may commit are surveilling union activities, disciplining union leaders, unilaterally implementing new rules and policies, refusing to supply relevant bargaining information, and prohibiting distribution of union literature.

One way to precipitate ULPs is to carry out a militant on-the-job contract campaign. Employers often respond illegally when workers:

- wear hard-hitting union buttons, T-shirts, and other insignia
- distribute handbills in nonworking areas, such as parking lots, front steps, and lunch rooms
- hold rallies in those areas
- hold informational pickets before and after work.

## WHO'S COVERED?

By default when we talk about labor law, we are talking about the National Labor Relations Act, which covers **most private sector workers**. It protects some strikes and not others.

**Rail and airline workers** fall under the Railway Labor Act, which allows strikes only over issues deemed "major" and only after a lengthy negotiation and mediation process. Permanent replacements are allowed.

**Farmworkers and domestic workers** are excluded from federal labor law for racist historical reasons, so they have neither legal

limits nor protections on their right to strike.

**Federal workers** have limited collective bargaining rights but not the right to strike.

**State and local public workers** are covered by state laws, which vary. Some states allow strikes, but require certain steps first such as fact-finding, mediation, or a supermajority vote. You will need to build those steps into your campaign timeline. Other states ban strikes, sometimes with serious potential consequences for the union and the strikers. Still other states have no law one way or the other.



Employers also detest it when the union submits requests for information. Total or partial refusals are ULPs. If it concerns a matter of importance to bargaining, a refusal to furnish information can be a basis for a ULP strike.

Another card the union can play: letting the contract expire while remaining on the job. Without a “management rights” clause in effect, you can demand to bargain over any unilateral changes the employer wants to make in day-to-day matters such as schedules, assignments, supervisory methods, work rules, or safety policies. If the boss refuses to bargain, that’s another ULP.

Employers with knowledgeable lawyers will attempt to settle ULPs before the contract expires. Do not cooperate.

Make clear that your strike is a ULP strike from the get-go. At the strike vote, the ballot should ask, “Do you vote yes because of the employer’s unfair labor practices?” Signs, handbills, and interviews should describe the violations.

During their contract campaign in 2019, AT&T workers in Florida built unity by wearing UV protection sleeves that said “I pledge CWA.” Management suspended seven members for wearing the sleeves—a clear anti-union move, since workers were allowed to wear similar sleeves with other designs.

Their local union spotted the ULP and called a walkout. The next day the rest of the bargaining unit, 20,000 workers in nine states, joined the strike over a different ULP, bargaining in bad faith. The strike ended four days later when management began to negotiate in earnest. A day after that, they had a tentative agreement.

## CONSIDER THE LOCKOUT

Provoking a lockout is another way to get some legal protection against permanent replacements, and it has other practical advantages over a strike. (See page 12.)

If it seems like your employer is determined to provoke a strike, consider surprising him by staying on the job. Getting locked out might be the better option! But to keep morale up, it’s important that members agree on the strategy and understand the advantages. These include collecting unemployment benefits, in most states, and creating a growing tab of back pay that the employer may owe if the walkout is a ULP strike.

## INTERMITTENT STRIKES

The NLRBA bans a series of short strikes for a common goal. But a union can still call a “practice” or “warning” strike, return to work, see if the employer

comes around, and days or weeks later strike for an indefinite period.

A union can also call separate walkouts having distinct origins and demands. For example, a union whose contract has expired could strike against a unilateral change to working conditions, a refusal to provide information, and then a safety hazard. Hold the walkouts quickly after the triggering event, but not too close together.

As long as there is no evidence tying the actions together as part of a planned campaign, workers should have legal protection against employer retaliation.

## SECONDARY TARGETS

A division of the same parent corporation can be legally picketed only if it is closely integrated with the struck employer, for instance with centrally controlled labor relations.

This fall 24 newly organized Teamsters in suburban Boston struck for a first contract with the waste collection company Republic Services. The union helped them extend their picket lines to Republic garages as far away as San Jose and Anaheim, California. The extended picket line was especially effective because their fellow Republic Teamsters had the contractual right to refuse to cross the lines—creating one-day sympathy strikes.

On the other hand, most outside businesses, including suppliers and customers, are considered neutrals, and the Labor Board has prohibited picketing and large demonstrations against them. In those cases unions that are following the law must confine themselves to non-confrontational tactics like leafleting and bannering in a stationary position.

Republic strikers protested Bill Gates, the company’s biggest shareholder, at an event his foundation sponsored. They held banners: “We Pick Up The Trash, Bill Gates Gets The Cash.”

## GRIEVANCE STRIKES

When the contract is expired, the union can strike over grievances.

For instance, AT&T workers in Dayton, Ohio, struck for two days in 2015 after a member was sent home for losing a \$6 tool. By the end of the second day, management had rescinded the discipline. The strike was a chance for members to flex their muscle during stalled contract talks.

“It opened up the eyes of the management team,” said a local bargainer.

It’s legal, but a grievance strike is usually an economic strike, so the employer could hire permanent replacements. To reduce the risk, grievance strikes should

# RISKY BUSINESS

Because of the power of strikes, Congress and legislatures have hemmed them in with laws to make them less effective. You can strike—but you can’t block scabs. You can strike—but not on your own timetable.

A revived labor movement will have to break the legal chains that bind us, as teachers in West Virginia, Oklahoma, and Arizona showed us in 2018.

At the same time, there’s no denying the risks: arrests, injunctions, suits, large financial judgments, being trusted by your International. A union that decides to break anti-worker laws should do so united, and with a plan for the consequences.

Is your leverage great enough to make the law moot? (They can’t fire us all.) Do you have lawyers on hand for the fallout?

Can you make withdrawal of legal charges part of the strike settlement? Will the public put the fear of God into politicians or police chiefs that try to harm the union? Balance the potential risks against the possible gains.

be short—generally one to two days.

The union should also announce shortly after the strike begins the date and time when members will return to work unconditionally, even if the grievance isn’t resolved. Strikers are generally protected against permanent replacement once they have submitted an unconditional offer to return to work. (See page 27 for how Golan’s Moving strikers used this to their advantage.)

Grievance strikes should not be aimed at influencing bargaining—they should be called around immediate grievances or safety issues. And don’t conduct too many grievance strikes, or you could run afoul of the rule against intermittent strikes. Conducting more than two walkouts in a short period risks losing legal protections. Be prepared for the risk of a lockout in response.

“The principal reason for a grievance strike is to test out the members’ strike-readiness,” says Teamsters Local 705 rep Richard de Vries. “This is truly a solidarity-building tool, but it doesn’t happen without taking all the other baby steps that lead up to it.

“Have you had a T-shirt day? Have you had a one-hour practice picket? Unless all those other kinds of activities are also going on, it’s hard to have a successful grievance strike.” (For more on escalating tactics like these, see page 18.)

# WAYS TO NOT QUITE STRIKE

Strikes are the most powerful tool in labor's arsenal, but they're not always the right tool.

Sometimes staying on the job and fighting can be a powerful alternative—and can even catch the employer off guard. An on-the-job tactic can also be a powerful escalation step while you are building up to a strike.

Like strikes, these on-the-job strategies can grow more rank-and-file leaders and jump-start a ho-hum union. And like strikes, they are serious, risky actions that require careful preparation, unity, and wide participation to work.

If your employer clearly wants a strike, consider an on-the-job strategy instead. You might also consider the legal and strategic advantages of pushing the employer to lock you out (see pages 12 and 15).



## WORK TO RULE

In 2003, Verizon was ready for a strike. The company was already on the hook for extra security, 30,000 scabs, and eight months of hotel rooms... when the unions decided to work to rule instead of walking out.

Work to rule means adhering literally to the rules set out in the contract or the company handbook. It means skipping all the daily shortcuts and extras that you know the boss relies on to get the work done.

The union distributed a fact sheet that instructed workers, "Never go by memory, check your reference material" and "Never use your own judgment—ask!"

Every morning, technicians delayed the start of their day with the required 20-minute truck safety check that required two people. They refused to take trucks out without all the cones, signs, and flags required by state and federal regulations.

They followed the company protocol requiring "five points of contact" with customers before, during, and after the job—even if that meant driving back and forth between the customer's home and the location of the problem, to give updates.

They completed their paperwork in detail. They spent extra time looking for legal parking places in busy cities where they typically parked in loading zones. Instead of borrowing a ladder from the customer, they waited for one to be delivered. Instead of making do, they drove back to the garage to pick up the special hammer they were supposed to use for a particular job. They called their managers about anything slightly tricky.

## THE ESSENTIALS

- If the boss wants you to walk out, stay in.
- Do your work oh so carefully, you model worker, you.
- Stop going the extra mile; do only what you're paid for, which may not include thinking.
- Gift the customers and get them on your side.
- Everyone individually decides not to work overtime.

The advantages over a strike were obvious. Workers kept getting their paychecks and kept building their public campaign about Verizon's greed and its threat to "hometown jobs" and quality service. All the while, since the unions could still strike at any moment, Verizon had to keep its expensive strike contingency plan in place.

The danger is that the employer will label the tactic as a partial strike or slowdown, both unprotected by the NLRA. The union must be careful to avoid giving the employer evidence of a coordinated or orchestrated campaign. So the campaign should be conducted covertly, with no mention in union literature. Workers should not refuse direct orders.

Safety is often central to a work-to-rule campaign. West Coast dockworkers worked safe in the summer of 2003 while they fought a hard-line employer at the bargaining table.

The dockworkers' safety concerns



were real. Five members had died on the job in the six months leading up to negotiations. The ports were extra busy that year as shippers, fearing a holiday season strike or lockout, tried to rush the work.

Dockworkers pushed back by reminding each other to honor stop signs and the 15 mile-an-hour speed limit, insist on appropriate railings and earplugs, and follow protocols for operating the giant cranes. Productivity dropped dramatically. By the end of November they had a contract settlement with victories on the union's key issues.

Working to rule has recently become a popular tactic in schools. Teachers reignited it in 2012 at Hawaii's largest high school, just outside Honolulu. Within two weeks the tactic had spread to 51 schools across the state.

On Thursdays the teachers would arrive exactly when school started—no early hours to plan lessons, make photocopies, or prepare for the day—and leave promptly when school got out—no after-school tutoring, grading papers, lesson planning, supervising clubs, or planning homecoming or proms with students.

Instead, before and after school they would gather to wave signs outside their schools, along roads, and over bridges, calling for better pay. After the morning sign-waving session they would march into the school in unison.

## REFUSE THE PAPERWORK

Teachers in Ontario, Canada, combined a similar work-to-rule campaign in 2015 with an administrative strike—skipping out on piles of paperwork, data entry, and standardized tests.

The teachers never took a strike off the table, but instead used these actions as stepping stones to build to a potential strike.

The goal of the paperwork strike was to pressure administrators and the government while minimizing the impact on parents and kids. It had the added benefit of forcing the province to cancel standardized tests—which students and teachers alike despised—for the year.

In the same spirit, bus drivers in Winnipeg, Canada, have held two fare strikes so far this year. They couldn't tell passengers the ride was free, but on certain days they chose to say nothing if a passenger boarded without paying. In advance, the union publicized the upcoming fare strike in the news, on social media, and by leafleting at bus stops. Management hated it.

Transit agencies typically try to pit passengers and workers against one another—"To raise her pay, we'll have to

raise your fare!" The fare strike turned the tables, making allies and highlighting the two groups' common interest in frequent, affordable, and accessible public transit.

## BOYCOTT OVERTIME

One more way workers can almost strike, while staying on the job, is to boycott overtime.

Nurses and paramedics in a hospital emergency department escalated to this tactic in 2013 to force the issue of chronic short staffing.

For two years the nurses had tried many forums—committee meetings, petitions, even confronting an administrator at the holiday party—to urge the right solution: hire more nurses. Instead, the hospital constantly relied on its existing staff to work copious overtime.

The nurses decided they weren't going to prop up this bad system anymore. On a certain week, they agreed, no one would sign up to work more than their regular shifts.

Management thought it was a bluff—until the chaotic week began. It wasn't easy for nurses to stand firm while patients waited longer than ever and supervisors pleaded. But two days in, management gave in and agreed to expedite the hiring of more nurses—a win for patients and staff.



UPS Teamsters United

For UPS Teamsters in Rhode Island, the breaking point came in 2017. Drivers already expect to work 60-hour weeks during the intense holiday season. But that year, a few weeks before Christmas, UPS announced it was exploiting a regulatory loophole and upping drivers to a 70-hour week.

Drivers knew UPS had a weakness. During the holiday season the company relies on drivers to volunteer for an early start on Mondays to get a jump on delivering packages that came in over the weekend.

Usually most are happy to do it. But December 11, a Monday morning, found UPS managers in the parking lot facing hundreds of Teamsters chanting "We won't work 70!"

They stayed put, refusing the early start. That night tens of thousands of packages came back to the building undelivered. It would take UPS days to catch up.

The company backed down and the Teamsters kept their 60-hour week.

But under the law, refusing overtime as a group is a strike. If done during the contract, workers can be fired; if it's expired, they can be permanently replaced. Once again, the campaign should be conducted covertly, with no mention in union lit or at meetings.



# TURN UP THE HEAT

## Starting with milder actions and building up to more fiery ones will maximize involvement in your contract campaign.

Since members in motion give unions their power, the basic task in a contract campaign is to get members moving.

But people won't go from zero to strike on a dime. You have to build an on-ramp. Start by getting from zero to one. What are your co-workers ready to do?

Taking even a very mild action together will help. Members will gain an ounce of confidence in their own power. They'll see that they can rely on their co-workers to act together. Soon they'll be ready to try something a little bolder.

Early in their 2011-12 contract campaign, Chicago teachers and paraprofessionals started wearing red every Friday as a signal that they were united. The tactic was simple and low-risk. Anyone could do it, even someone who had no extra time.

At first many people would wear a red scarf or a red-patterned blouse. But as their excitement and confidence grew, more and more ordered red union T-shirts. The visibility helped alleviate fears. Co-workers could see for themselves the growing level of union support. Administrators and students saw it, too. Participating in this action helped get teachers ready to take the next step.

It also made visible which schools

were not solid red on Fridays—showing the union where new leaders should be recruited or existing leaders needed help.

### IT'S A SERIES OF TESTS

Every action is a test of your union strength and a chance to improve. Shoot for unanimous participation, but don't panic if you find holes. Build on what you've got. So long as you keep improving participation, you're on the right track.

If participation starts falling off dramatically, however, it's time to put on the brakes and regroup. Get your core group together to talk over the obstacles and how to confront them. Don't just charge ahead with plummeting numbers. No matter how militant the action is, if participation is anemic, it sends a message of weakness to the boss—and to your co-workers, who will start to back away.

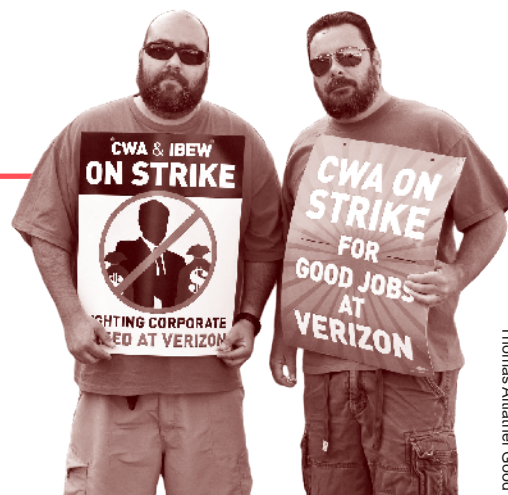
A great low-intensity activity to start your campaign is a survey about what people want to win in the contract. (See page 22.) Bus drivers in Alexandria, Virginia, who unionized in 2018 began their first-contract campaign with a survey.

The union set a goal to talk to everyone, even people who had voted no. The committee kept a running list of who still had to fill out a survey, and drove up participation past 75 percent.

Later in their campaign they packed a city council hearing; promoted their story to local media; set up a worker-to-worker texting network; voted to authorize a strike; handed out 10,000 flyers to rush-hour commuters; and countered their employer's so-called final offer with a final offer of their own. At the last minute, to stave off a strike, management took the deal.

Negotiating sessions create natural opportunities for action, if you're opening up the bargaining to members (see page 22).

Professors and adjuncts at the



Thomas Alfthar Good

University of Oregon insisted that their 2015 negotiations be conducted in public. Each time the two sides met, the union's Contract Action Team (CAT; see page 20) packed the room with members wanting to observe. So many faculty members turned out—130 on one occasion—that the meeting had to be moved to a larger room.

An economics professor blogged live accounts from his laptop. "We couldn't make comments, but we could roll our eyes," said member Nancy Bray.

### PRACTICE, PRACTICE, PRACTICE

Leading up to your strike, organize actions that confirm and reconfirm each individual's commitment, to make sure your numbers are solid.

When faculty at the City College of San Francisco were campaigning for a contract in 2015, the CAT set out to make one-to-one contacts. They asked each person, "Will you vote to raise dues temporarily to establish a strike fund?" Of 1,500 members, 650 signed commitment cards promising to vote yes. Fewer than 10 percent refused.

The vote backed up those assessments. More than 600 faculty voted, with 93 percent in favor of raising dues. It was the largest turnout in the union's history.

The next step was a petition committing to strike if necessary, gathered through more one-on-ones. Then a vote to authorize a strike, where the union topped its record again, with more than 800 members voting, 92 percent yes.

By the time they actually walked out, members had demonstrated their commitment to one another over and over. The employer too had seen plenty of evidence that they were serious, and had had chances to back out. A strike shouldn't come as a surprise to anyone.

### FLAUNT YOUR DEADLINE

### THE ESSENTIALS

- Start with a non-risky action, like a survey.
- Make your actions visible to all—it builds morale.
- As you escalate, keep checking your strength and shoring up the weak spots.
- Find new ways to ratchet it up once you walk out.
- Use roving pickets to follow scabs and management everywhere.

Many unions display their strike-readiness with “practice picketing.” Or a one-day walkout can be a “demonstration strike” before an open-ended one.

UFCW Local 21 used a clever visual aid to spotlight the final days of bargaining for 21,000 Seattle grocery workers in 2013, when four grocery chains were pushing to eliminate health insurance for part-timers.

When the union gave the 72-hour strike notice, it set up a huge notepad displaying the numerals “7” and “2” at a park in downtown Seattle. Each hour a member would flip the page, ticking down the hours till the deadline.

“The cameras were on it all the time,” said Safeway meatwrapper Mary Ann Schroeder. “It was on all the local news. So it wasn’t just happening to us, it was happening to everybody... The whole city knew.”

The countdown stopped at 02, when the chains agreed to a no-concession contract, keeping everyone’s benefits intact.

### ESCALATE DURING THE STRIKE

Even once you’re on strike, you never want management to feel you have no cards left to play. Strikers should keep dreaming up ways to ratchet up the pressure. The union should encourage these ideas and put resources behind them.

Oil refinery workers were doing a rolling national strike over safety in 2015 when an explosion at a not-yet-struck refinery in Torrance, California, injured several members and blanketed nearby homes with potentially toxic dust. Steelworkers Local 675 organized a caravan to ExxonMobil’s headquarters, where members in hazmat suits emptied a dump truck of horse manure at the company’s front door and held a sit-in.

Later strikers sat in at a city hall to demand a crack-down on the illegal housing of scabs. They also managed to get inside a meeting of the Western States Petroleum Association and drop a banner, and even launched a fleet of picketers into Los Angeles Harbor by kayak, so maritime unions would know to honor their picket line at a dock. After Homeland Security and the Coast Guard ordered the kayakers to stay 1,000 feet away, the union hired the Illuminator group from Occupy Wall Street to project picket lines onto the facility in lights.

### ROVING PICKETS

In 2016, Verizon strikers followed managers and scabs around and picketed the poles, manholes, and buildings where they were working. They took photos and videos of safety violations that were putting the public at risk, and

circulated the evidence on Facebook.

To avoid the mobile picketers, Verizon started dispatching scabs in unmarked vehicles from hotels instead of using its regular garages and vans. So CWA and IBEW locals organized “scab wakeup calls” outside the hotels. These rowdy pickets got several hotels to kick out Verizon’s operation—though they also got the locals hit with restraining orders, on the grounds that the tactic was a secondary boycott. (See page 15.)

Undeterred, CWA and IBEW locals found other ways to keep the heat on Verizon. When the CEO and CFO showed their faces at conferences, hundreds of strikers were there to protest.

The unions sent a delegation to

Verizon’s shareholder meeting in Albuquerque, where 15 strikers and supporters were arrested in an act of civil disobedience outside. And after outsourced Verizon call center workers in the Philippines reached out to CWA through Facebook, a delegation of U.S. strikers traveled there.

From the Filipino workers they got some intel about how effective their strike was. The company was so behind on fiber-optic installations that new customers were being told they’d have to wait months for service. And the call center employees were fielding a lot of calls to disconnect service because of the scabs’ lack of professionalism.

## THE ACTION THERMOMETER

Here are some actions workers have used in contract campaigns, starting with low-intensity actions at the bottom of the thermometer and gradually heating up.

One campaign wouldn’t include this many tactics. Choose actions that make sense for your group, even if they’re not on this list!



30. Strike!
29. Clean out your lockers together
28. Haul burn barrels around conspicuously
27. Throw a picket sign-making party
26. Set up a strike countdown clock
25. Work to rule
24. Informational picket
23. Wear “ready to strike” buttons
22. Display signs in car windows
21. Strike vote!
20. Refuse overtime
19. Distribute window and lawn signs
18. Circulate a strike petition or pledge
17. Confront the employer at a public event
16. Set a strike deadline
15. Hold a rally, march, or candlelight vigil
14. Crowd into a bargaining session
13. Leaflet co-workers on the job
12. Rally outside the job before or after work
11. March on a supervisor or the CEO
10. Hold a public event with allies
9. Leaflet customers or the public
8. Post selfies with a theme, like “I want a strong contract because...”
7. Set up a group on social media, or for texting
6. Hold meetings in break rooms to discuss the campaign
5. Wear union colors to work once a week
4. Circulate a petition on a popular issue
3. Distribute union lanyards, shoelaces, or other gear to wear at work
2. Hold meetings to develop demands
1. Do a survey on bargaining priorities



Richard Becker

# ORGANIZE THE ORGANIZED

**You'll need an action team, and a communications network so information zips around fast.**

Organizing for a strike requires a whole lot of one-on-one conversations. How will you invite and persuade your co-workers to join the escalating campaign actions described on page 18?

You will be asking co-workers to take a series of increasing risks, culminating in a big one that could, in the worst case, cost them their jobs. Making this ask in a newsletter or a Facebook post, no matter how eloquent, isn't going to cut it.

A strong contract campaign requires a robust person-to-person communication network. Its backbone is a layer of members who are deeply involved, often called the Contract Action Team. Your CAT shouldn't be the same people as your core bargaining team—because you'll need someone out organizing while the bargainers are stuck in a room.

## IDENTIFY LEADERS AND RECRUIT THEM

To be effective, a CAT has to be made up of enough people—aim for one CAT member per 10 workers, and one from every work area and shift. And they have to be the right people—those whom others trust and respect. Collectively, your committee should have the ear of the entire workforce.

At the Pennsylvania grocery chain Giant Eagle, the union looked for leaders

in the lunchroom. “We tried to keep an eye out on who was the one at the lunch table that had a lot of people talking to them or stopping by,” said Tina Shreckengost, a shop steward in UFCW Local 23. “They are the ones that are more likely to communicate with everyone.”

To identify leaders from each department and shift, upstate New York

hospital workers in CWA Locals 1133 and 1168 asked these questions:

- Who do people go to when there's a problem?
- Who's the contract expert?
- Who isn't afraid to share their opinions and ideas with co-workers?

## WHAT THE CONTRACT ACTION TEAM DOES

Divide up your member list among the CATs, so each one takes charge of keeping about 10 co-workers in the loop. That means they will:

- Update co-workers about bargaining progress.
- Solicit feedback and ideas.
- Explain the campaign plan.
- Ask co-workers to join actions.
- Talk them through their fears.
- Distribute flyers and buttons.
- Set up department meetings.
- Track who participates.
- Inoculate against the employer's tactics.
- Keep an up-to-date contact list, including cell phone numbers and email addresses, and any new hires.

- Keep in close touch with union headquarters—information should flow in both directions.

CAT members aren't just drones carrying out orders. They're a team of activists at the heart of the campaign, who should have a real say in the plan. The CAT should meet regularly to troubleshoot and help devise next steps, in coordination with whoever else does those things—likely the union's elected officers, bargaining team, and senior staff.

At the outset and during the campaign, CAT members should get relevant training, such as how to have a good organizing conversation and how to armor members against the employer's scare tactics.



- Who isn't afraid to approach management with concerns?

These leaders became department mobilizers, who met every two weeks to debrief, hear the latest updates from bargaining, ask questions, and let each other know what rumors were going around. They didn't end up going on strike, but won a contract that reversed previous givebacks—because they had built a credible strike threat.

The high ratio of activists to members makes the load manageable. It creates an opportunity for more people to get involved. And it makes the group nimble enough that information can be quickly distributed and collected.

Each action is a test of your organizing network. (See page 18.) CAT members should routinely report participation back to union headquarters. In areas where the numbers are low, the union should help, usually by either recruiting additional leaders or offering more support to the existing CAT activists.

## DON'T HOARD POWER

The 1:10 ratio sounded pie in the sky to some longtime activists in United Teachers Los Angeles, when the union was in the early stages of its latest contract campaign.

"At the beginning people didn't really believe that they could get that many people to step up in their school," said Gillian Russom, a history teacher and UTLA board member. "People said it was too much work and would never happen."

The established way of doing things in many unions is to rely on a few heroic activists who do all the work. A longtimer who is used to fighting solo might bemoan this situation, yet still feel a tinge of reluctance about sharing power with some johnny-come-lately. Resist this impulse!

"We have amazing activists who have been involved in fights for decades, and they are great," said UTLA activist Erika Jones, an area chair who helped develop the CATs in many schools. "But it's important to build a team at the worksite—people to help pass out flyers, or think through actions, or help put things on the bulletin board."

## BEYOND THE CAT

In a strike there are important roles for everyone, not just the CAT members. You'll need various committees as well as people to make signs and photocopies, haul supplies, buy snacks, compose chants, lead songs, and much more. See "Strike Prep" on page 29.

## ROLL THE UNION ON

However your strike turns out—or even if you avert a strike at the last minute—your union will emerge much better off for having built up member teams.

Organizing a contract campaign gives new and seasoned activists the opportunity to learn new organizing skills and reinforce old ones. It uncovers new leaders and brings more people into the life of the union.

Member teams center the union where it gets its strength: the workplace. Don't let your new networks wither away afterward. Too often, union leaders look at member activity as a switch to be turned on at contract time—and off once a contract is won.

Instead, a union should keep its communication network active and immediately available. Convert your Contract Action Team into a Member Action Team. Put it up on a wall chart or track it in a spreadsheet. Continually check to make sure no members have dropped out, and replace them if they have. Use it to organize mini-campaigns on issues in between contracts.

For more on organizing at the end of the strike and afterwards, see page 26.

## THE ESSENTIALS

- Set up a Contract Action Team. with a 1-10 CAT-to-member ratio.
- Keep the information flow continuous, and make it two-way.
- Always solicit member input into action plans. The creativity will amaze you.
- Assign a role to everyone. Make many committees.
- Afterward, convert your Contract Action Team to a Member Action Team.



Joe Brusky

## WHAT PICKET CAPTAINS DO

During the strike itself, CAT leaders can become picket captains and organizers, responsible for worksites, shifts, or departments. They've already built the relationships, and their roles on the picket lines are largely the same—talking with everyone, involving everyone, taking attendance, making assessments, and reporting in. Picket captains should:

- Sign members in at the beginning of picket shifts, and contact those who don't show up.
- Report attendance to headquarters. United Teachers Los Angeles created an app that picket captains could log into and update each morning, so that the union had a live breakdown of how strong the lines were in real time—and could send help to lines that needed support.
- Send updates to headquarters about what's happening on the ground.
- Know the legalities and what rules the union has decided to follow in its pickets and protests.
- React to unexpected developments or emergencies, or if the press or police show up.
- Keep up the energy on the line.

- Your communication network becomes the basis of a flexible structure that allows for quick action.

During the 2016 Verizon strike, CWA Local 1101 in New York City had some picket teams based on site and some mobile ones that could be sent wherever needed. When the union found out that the company was dispatching scabs from a vehicle rental site, the mobile teams threw up a picket line at the gate. When reports came in of managers working in the field, these teams hopped into cars and chased them down—keeping the managers out of manholes and off telephone poles.

When the union got word that scabs were being housed in hotels, picket captains activated their phone tree, turning out hundreds of members for early-morning "wake-up calls" that booted out the scabs (see page 19).

"One of the lessons from the 2016 strike: the company adapted," said field technician Pam Galpern, a mobilization coordinator for the local. "We put plans in place beforehand, but we had to be flexible. If we had just held big picket lines at the garages, it would have been ineffective."



# DEMOCRACY: WHO OWNS THE STRIKE?

**A powerful strike must belong to its members, from the beginning of the contract campaign to the day you declare victory.**

Democracy is not simply a moral question—we need it, to build strong unions and to win strikes. A strike is a great opportunity to exponentially expand the number of us who have the skills, confidence, and authority to be the union. Leaders need to welcome, not begrudge, rank-and-file initiative.

In West Virginia's 2018 teacher strike, leaders couldn't have called members out on a sudden unlawful walkout simply by decreeing it from the top. That strike worked because rank-and-filers devised the strategy, owned the strategy, and believed in it. It was theirs.

A democratic strike requires an informed strike vote. The strike and the bargaining table must both be run by democratically elected committees that represent the whole membership.

## DEVELOP DEMANDS TOGETHER

Start your contract campaign with a bargaining survey every member can

fill out, identifying and ranking which issues the contract should address. The results should inform bargaining. If union leaders don't do a survey, a rank-and-file caucus can organize one.

The survey sets the tone that the campaign will require everyone's input. Try for 100 percent participation. Hand-distribute and collect it, for a first test of your communication network (see p. 20). Ask for everyone's current contact info.

Be sure to include an open-ended, write-in question; you may get some surprising information. But also ask specific questions. When Teamsters Local 814 asked the general question "What are your top contract issues?" many members responded simply: "More money." But when asked how they would split a dollar between wages and retirement, the majority favored putting 50 percent or more into retirement accounts.

Next, members should help shape the

survey data into bargaining demands. Teachers in Los Angeles held meetings by area of the city and by job. Their campaign highlighted not only the issues of classroom educators but also demands specific to minority groups in the union, such as school nurses and librarians. Parents and community groups helped formulate additional demands.

Be sure you're asking for something for everyone—the second tier, the night shift, the secretaries, the janitors, and possibly your key allies outside the union.

## BRING BIG CROWDS TO BARGAINING

Management would prefer to bargain discreetly with a few union representatives. Often the employer will propose a gag rule where members are kept in the dark until negotiators have reached a deal.

It's in the interest of union power, as well as democracy, to do the opposite.

Elect a large bargaining team that includes rank-and-file members from every work area or job. The committee should also be representative of the workforce in all important ways. If half the workers are women, the bargaining team should not be all men.

Keep bargaining sessions open for any member to observe. Some unions have gone one step further and brought in community allies. See page 24.

Invite members to testify about their experiences on a particular issue that's being discussed. On certain days, organize a big crowd to pack the room and show your strength.

Nurses at the University of Vermont Medical Center turned out by the hundreds twice in their 2018 contract campaign—once for the first negotiating session and once for the last session before their strike. They all wore red shirts and walked in chanting “Safe staffing saves lives,” and “Hey [CEO] Brumsted, what do you say? How many beds did you make today?” These actions were among many other steps in an escalating campaign (see page 18).

Teacher negotiators in Concord, Massachusetts spent their first two bargaining sessions debating the idea of opening up to all members; the school district was resisting. For the third session, the teachers just went ahead and did it—they brought 50 co-workers. By the end of the day the employer agreed to keep bargaining open. It's harder to argue for excluding people who are in the room already!

Open bargaining kept members much more connected to the process, reported President Merry Najimy: “Being a witness at the table is completely different than just getting a report afterwards. Members who witness the process themselves feel more informed—and they get fired up at the disrespect the School Committee shows for teachers. People are upset when they have to miss a session.”

### MEMBERS DESERVE AN INFORMED, DEMOCRATIC VOTE

This goes for the vote to authorize a strike—and the vote to end the strike.

How can you prepare an informed strike vote? In some unions, this vote is routine: everyone votes yes without really expecting a strike. You need serious debate before the vote is taken. What is the percentage you'll need before you'll decide to walk?

And at the other end, members shouldn't be asked to vote on a deal when they've seen only its “highlights,” or gotten details only at the ratification meeting itself.

Bargainers should circulate the whole tentative agreement, with changes indicated, and be frank about the pros and cons and why they are recommending a yes or no vote. Members need adequate time to review it, ask questions, and talk it over together.

The decision to strike, or to stop striking, isn't just about how good the deal is. It's also a question of strategy—who is winning? If we stay out, could we get more? What are the risks? Do we have any cards left to play?

The members have to be part of these conversations throughout the campaign, so they can cast an informed vote when the time comes. For how Chicago teachers did it in 2012, see page 26.

### MEMBERS DEVISE TACTICS AND RUN PICKET LINES

In a contract campaign and during a strike, there's plenty of work to do. Everyone should have a role. Who's making picket signs? Who's bringing coffee? Who's assigned to talk to the press? Who can take attendance, drive a carpool, direct traffic, watch out for scabs, leaflet the public? Who's coordinating all those assignments? How is everyone staying in touch?

The strike at the Four Roses bourbon distillery near Frankfort, Kentucky was organized, managed, and staffed almost exclusively by rank-and-file members, not officers or staff. Workers made their own signs, handled all media interviews, organized picket shifts and parking, and maintained a round-the-clock presence to monitor for scabs.

“You can't wait for other people to step up,” said Jeff Scott, a boiler operator.



## THE ESSENTIALS

- Start with a survey and get 100% participation.
- Say no to closed bargaining or a gag rule. Keep the strike bulletins coming.
- Invite members to speak during bargaining and to the press.
- Find ways to involve everyone in strategy discussions.
- Give plenty of time to vote on the whole agreement.

“We probably put in more hours working the picket line than we would've if we'd been working.”

Of course union staff and officers should add their brains and brawn, too. But they shouldn't operate like bosses deploying foot soldiers. As a rule, members should be privy to the inside scoop, involved in all aspects of the campaign, and deciding what to do next.

Rank and filers dreamed up many of the tactics that beat Verizon during the 2016 strike there. Read more on p 19.

### THE MORE COMMUNICATION, THE BETTER

Members can't run the show if they don't know what's going on. You need a communication system that runs both ways—where everyone is regularly getting updates from bargaining and strike central, and everyone can feed in their ideas and intel from the front lines.

A strike website and a strike bulletin distributed to the picket lines and by email will help. Prepare for this in advance. There are also good tech tools to help. Mass text messaging systems have become a popular way for unions to rapidly disseminate information and solicit feedback. A Facebook group can be an informal discussion forum, and bargaining teams can use Facebook Live to give updates.

But these methods should supplement, not substitute for, the essential ingredient: a robust person-to-person communication network (see p. 20).

### IT'S NOT OVER TILL THE MEMBERS SAY SO

During the bargaining process, what mechanisms are in place for members to review proposals and respond to them? When a tentative agreement is reached, how will members review and debate it before a vote? For more on how to stick the landing, see p. 26.

Josh Korb





# COMMUNITY: WHO ELSE OWNS IT?

**Unions can't win big if we're an isolated minority. Strikers need allies for much-needed moral support, and practical support.**

Allies lend credibility that can be critical to undermining the boss's case—for instance, you need Catholic clergy on your side when you strike a Catholic hospital; you need students and parents to back a school strike.

The boss loses money when shoppers stay away. Mass picketing by allies can provide legal cover for workers from other unions to honor your picket lines.

But more than all that, by working with allies we can benefit the whole community and build a powerful coalition for the future.

And the converse is true: we can't expect anyone to pick up a bucket when our house is on fire, if we sat back and watched while the neighborhood

burned down around us.

## START LONG IN ADVANCE

Ideally your union will have been working with allies for years before the strike—and not just by contributing to United Way and Little League. Then calling for help in your hour of need will be a natural.

Does your union participate in community coalitions that fight the local bad guys? Are you seen as part of the solution, not the problem? If your plant is a polluter, for example, do you work with environmental groups to try to save the lungs of everyone around? Is your union hall open for community groups to use? Do you support other unions when they go on strike?

If members are in public service, are you vocal and visible about improving those services? The public needs to know that long lines are not the fault of the first person they see at the DMV, and that transit workers share their frustration over subway delays.

Rank-and-file activists in the Chicago Teachers Union naturally allied with parents who, like them, were fighting to stop school closings. After these teachers won leadership of the local, they formalized those alliances with a “community board” and invited in neighborhood organizations.

The union issued a report on “The

Schools Chicago's Students Deserve,” with community input, and shifted its campaign from defense to offense. Together with neighborhood groups, it held town hall meetings, leafleted at train stations, and organized rallies. During their 2012 strike, part of members' picket duty was to canvass surrounding neighborhoods to shore up support. Two-thirds of parents supported the strike, and the union won.

If you don't have these longstanding relationships, the least you can do is start building them a year before your potential strike. Do all of the above, humbly, with the added message that your employer is doing X bad thing right now, and you think you're going to need help.

A union can invite the public to observe bargaining sessions, as teachers in St. Paul did with parents and community groups. They set bargaining for 5 p.m. and took advantage of Minnesota's open meeting laws that forbid

## HOW ALLIES CAN HELP

- Join the picket line.
- Speak at the picket line or a rally.
- Tell managers you're taking your business elsewhere.
- Talk to neighbors, or customers. Ask them to do what you're doing.
- Put up a lawn or window sign.
- Donate money or food.
- Lend facilities and supplies. A big union can let a small union use its hall and turn over copy machines and restrooms.

## THE ESSENTIALS

- Build equal relationships long before the strike. Be there.
- Invite the public to observe negotiations.
- Put community demands on the table and “bargain for the common good.”
- Find ways to give back during the strike.
- Encourage supporters to invent tactics.

closed-door bargaining in the public sector.

The union set up study groups for parents and teachers and together they came up with common priorities: over-testing and class sizes. When management walked out of bargaining, parents shared members' outrage. As the campaign escalated to the brink of a strike, they joined teachers in informational pickets at every school.

## FIND NATURAL ALLIES

Some community organizations are already built for solidarity, and unions should seek them out. Jobs with Justice, which has swelled picket lines for decades, is a natural in many areas.

When mostly Latino immigrant Teamsters at Golan's Moving and Storage in Skokie, Illinois, struck for six months, the union reached out to Arise, a faith-based worker center, which mobilized hundreds of community supporters to weekend rallies, organized testimony in front of Skokie's board of trustees about rampant wage theft at Golan's, and pushed successfully for a county ordinance against wage theft.

Arise built support among religious leaders, including rabbis and Jewish civic organizations. That boosted pressure on the company's owners, who were part of the sizable Jewish community.

You may want to ask allies to set up a solidarity committee that will start before the strike and last as long as it does.

## CHOOSE THE RIGHT DEMANDS

If you want community support, your strike should benefit the community. It's sometimes called "bargaining for the common good." That's easiest and most essential for public sector workers, who should always be looking for ways to improve services.

More jobs, to serve clients better, is only the most obvious demand. Get creative—how would you shorten those DMV lines? When Seattle teachers struck in 2015 they demanded to bring back kids' recess.

Public workers will have to counter management's narrative that pits them against taxpayers. They can bust the myths about "exorbitant" pay and pensions, and argue that if the state looks broke, it's because the money's in the wrong hands—and then crusade to tax the rich. But ultimately those talking points won't be as important as whether community members see public workers as their allies and friends.

Private sector workers, too, can make demands that help the public. They can deal with their workplace's direct

impact, such as pollution. During a 2015 strike, oil refinery workers highlighted safety hazards—which were dramatized when an explosion blanketed nearby homes with dust.

Unions can make demands that help consumers. For instance, food service workers at American University teamed up with students to campaign for "Real Food, Real Jobs." They demanded whistleblower protection to speak up about food quality or waste; training to cook from scratch; and full-time jobs, which would be needed if they stopped using prepared foods as shortcuts.

Students gathered petition signatures and marched with workers on their boss. The workers won all three demands—and their economic ones too.

Another approach for private sector works is to frame your demands in a way that anyone could see the justice of. Grocery workers in Oregon and Washington, building toward a possible strike this fall, highlighted the dramatic gender pay gap at the Fred Meyer chain with the slogan "Time's up!"

In 2018 Marriott hotel strikers fighting for better wages proclaimed "One Job Should Be Enough!" The same issue resonated in 1997, when UPS Teamsters struck with the slogan "Part-Time America Won't Work!"

But note: A righteous message isn't enough. You need leverage. In the private sector, shaming your employer and invoking the common good should be *in addition to*, not instead of, walloping your boss in the wallet. (See page 4.)

## SUPPORT YOUR SUPPORTERS

Think of the customers, students, patients, or neighbors whose lives are affected by your strike. Can you ease their burden?

When Milwaukee's city bus drivers struck in 2015, they chose a strategic time to pressure the city—an 11-day summer music festival that typically added 20,000 additional transit riders per day. But to minimize the hit on supporters who urgently needed to get somewhere, they worked with the teachers union and a church to set up "solidarity rides" offered by volunteers.

Chicago and Detroit orchestra members held free public concerts during their strikes, as a way to rally supporters and say thank you.

In Oakland 70 percent of students rely on free or reduced-price meals at school. So during the 2019 teacher strike, solidarity groups raised \$170,000 to feed both teachers on the picket lines and their students. With the money raised through "Bread for Ed" phonebanking

## START AT THE ROOTS

Often we think alliances start at the top. Members are an overlooked resource. But after all, nobody is just a worker. We're also community members, parents, people of faith, and involved in many different kinds of organizations.

Early on, survey to identify members' existing relationships. Ask about sports teams (kids' and adults'), neighborhood associations, fraternities and sororities, PTAs, active religious affiliations, civic organizations, and especially family members' unions. Then rank-and-filers can be the ones who:

- Set up one-on-one conversations with community leaders.
- Ask to talk about the union's contract fight in a community meeting or religious service.
- Participate in coalitions, ask what support is needed, and bring requests back to the union.
- Mobilize members for actions of other unions or community groups.

and social media, no student needed to cross the picket line to get a meal. Supporters organized nightly phonebanks to sign up volunteers for picket and food delivery shifts.

Parents, retired teachers, churches, and community groups also set up "solidarity schools." Legally, school employees couldn't tell parents not to bring their kids to the struck schools, but parents could talk to other parents, and they did. Only 6 percent of students attended school, which meant the district took a daily hit in its state funding.

## ENCOURAGE, DON'T MICROMANAGE

Let community members be creative. Don't micromanage—that's not what allies do. Rather than hand out pre-printed signs, have a sign-making party where allies invent heartfelt slogans.

Allies may feel they have more leeway for bold action. Might they organize flash mobs to occupy the CEO's space or visit his home? Could they organize guerrilla theater on the picket line? What about research to expose the CEO's multiple homes in vacation spots? How about a "shop-in" at the bank that finances the company?

Most of these actions could be undertaken by union members themselves—but it's more fun and effective when your allies are in on it too.

# HOW TO END A STRIKE

**The end of a strike should be democratic, honest, and united—just like the rest of it.**

Numb. Exhausted. A big sigh of relief. Frustration. These are some of the words organizers use about the end of a strike. They talk about the difference between what they wanted to get and the details of the tentative agreement, and the tensions between those who wanted to hold out longer and those anxious to get back to work.

## **PLAN FOR THE END AT THE START**

A strong ending will grow out of a strong strike. Constant two-way communication about bargaining, daily picket line meetings, a role for everyone, a culture of defiance but of mutual care—all of these build trust and shared knowledge.

So does being clear from the get-go about the strike's goals. A vague goal ("equity for our members") ensures that members will disagree about the result: "the best we could do" vs. "it stinks."

Gillian Russom, a board member of United Teachers Los Angeles, notes that the pressures on the bargaining team tend to make them more conservative. Spending hours across the table from management narrows their vision of what is possible. And it is exhausting.

There is little chance to experience the solidarity of the picket lines. The sense of responsibility to get people back to work grows larger each day. Bargaining starts to feel more personal than shared.

Democratic processes are vital to counter that pressure. Open bargaining

(see page 22) is the strongest. That way, members know what demands are on the table and how management is responding, and everyone shares responsibility for what gets agreed to.

A little advice for bargainers: take breaks. Set limits on the length of sessions. Sleep. And be sure what happens in bargaining is communicated to members through a regular bulletin, on picket lines, at rallies, and through your Contract Action Team.

Don't be afraid to talk to members about how you are assessing the impact of the strike, and ask how they see it. Seek out a range of perspectives. Beware of getting locked into the insider's view. Bargainers might overestimate management's capacity to weather the strike. Transparency and member participation are our power.

## **RATIFICATION: DEMOCRACY MATTERS**

As the Chicago Teachers Union ended its 2012 strike, the union's House of Delegates demanded that leaders not sell the tentative agreement to members but rather extend the strike to let them decide for themselves. (See page 11.) Officers agreed.

"I'm not going to say this is the greatest thing since sliced bread and try to sell it to them. I'm not a marketer," said President Karen Lewis. "Our people know how to read, they know how to do math."

This decision set a high mark for what democratic unionism looks like in a strike. Many bargaining teams are quick to declare a tentative agreement (TA) as a win and often schedule a vote after members have been sent back to work.

On the one hand, this is understandable. The team knows from inside what offers have been made, how hard management has pushed back, and the lines the union might not be able to cross.





On the other hand, the very nature of insider knowledge discounts the experience of solidarity and power that workers have found on the picket line.

Russom says, "You have to have time to process the TA where questions and frustrations can come out. You have to have this plan in advance. We took a risk to go out on strike, and we get to decide when we go back."

In the CTU strike, those discussions took place right on the picket lines. In other situations the union could rent a hall big enough to hold the membership.

As in every other aspect of the strike, "our union has always done it this way" is not a good enough reason. Should the information meeting be separate from a later ratification vote? Does breaking down into small groups make sense? Should the vote to end the strike take place with hands raised at a meeting, by secret ballot, or online?

Obviously, the entire TA, with changes indicated, should be available, as well as an honest summary.

In assessing the TA's weak points, leaders should be clear about why they didn't get what members wanted. Were there just too many nonunion competitors willing to take your company's business? Was the budget shortfall just too large? Were there things the union could have done differently?

On the other hand, leaders should make clear that what members did make a difference—any gains were because of the actions and unity of members themselves.

## RETURN TO WORK STRONG

Be prepared to mark the win and the solidarity that got you there. The song gets it right: solidarity is forever.

Kristin Roberts, a CTU member, recalls that after the 2012 strike she wrote thank-you notes to each of her co-workers, and, on the first day back in, gave everyone a red carnation to wear.

After defeating every concession demanded by Verizon in 2016, victorious Communications Workers walked back in to work together wearing union shirts and chanting, "One day longer, one day stronger."

Unions concerned about retaliation could take a leaf from fast food strikers' book and organize a delegation of faith leaders to accompany workers back in.

Returning without a TA can occasionally be advantageous. That's what Teamsters at Golan Moving did in 2015 after a six-month strike. The labor board had found in the workers' favor and negotiated a resolution of Golan's unfair labor practices.

The local offered an immediate,

unconditional return to work. Members were prepared to report at 6:00 the next morning. By law, Golan's was forced to take everyone back and discharge all scabs within five days.

Managers expected strikers to return with their tails between their legs. But the union's message was clear: workers would be ready to strike again just as soon as the busy season arrived.

Without a contract, worker leaders warned, the movers could legally strike over grievances. The company knew it was vulnerable to disruptions and other inside tactics—so it gave in and signed a contract.

## REFLECT ON THE LESSONS

There will be lots of informal conversation about the experiences of the strike—lost wages, joyful moments, fears overcome, and what was won or not won. There is a lot to absorb about what worked, what didn't work, why, and what that means for union power going forward.

Make a space for these conversations. Hold special meetings where members can reminisce, but also develop plans to defend the contract and win the next fight. Hold meetings at work, not just at the union hall, so everyone can be involved.

After the 2019 Stop & Shop strike, the Food and Commercial Workers brought strike leaders to teach a steward seminar for units that hadn't been out.

Management, of course, will be peddling its own version of events, including its favorite, "Nobody wins a strike."

"After every strike, or every contract, the company will spread its own version of what happened," says retired president Jeff Crosby of IUE-CWA Local 201 at General Electric. "And it's not just the company, but the dead weight of cynicism about everything in our society."

"People think, 'the government sucks, the company sucks, politicians suck, the union sucks, of course we can't get anything, because we suck.' And there's always, 'They're going to do what they want to do anyway.'"

Crosby tells of the 101-day national GE strike in 1969: "The average member will tell you we gained nothing but a nickel. But in fact we got better settlements for 30 years because of that strike—we convinced the company not to push us to a strike again."

## TRANSLATE YOUR NEW TEAMS INTO POWER AT WORK

A strike gives a real experience of power—but this doesn't necessarily carry back to the worksite. Jeff Jones of UFCW Local 1459 said, coming off the

## THE ESSENTIALS

- Be clear about goals, so you know if you've won.
- Don't let negotiators get isolated.
- Allow plenty of time for ratification.
- Maintain strike structures afterward, to enforce the contract.
- Incorporate the new leaders who stepped up.

Stop & Shop strike, "We cannot slide back into business as usual and not build on what we did."

To prepare for the strike you built a Contract Action Team, held regular meetings, and developed a campaign of escalating actions to grow trust and courage. Don't let these disappear. The structures that gave you a win are needed every day.

Use your structures first to reflect and celebrate, and next to bring collective power onto the shop floor. Convert your CAT into a permanent Member Action Team. There's a contract to defend. There may be battles against retaliation to take up.

## BUILD UP NEW LEADERS

Throughout the strike, pay attention to who is stepping up, who are the people others listen to, who is emerging as a leader. Then follow up.

"The real success is when the natural leadership in the strike gets invited to continue," says Richard de Vries, a longtime business agent for Teamsters Local 705. "They change their relationship with the union, or get involved in a caucus that goes after the incumbents that failed to incorporate them."

Russom agrees: "Make a plan to thank the specific individuals who stepped up, and make a plan to talk to them about what they think it means to be involved in the union. Do a new round of one-to-ones."

## PREPARE FOR NEXT TIME

"You are now at a different level and you can never go back," says Jones. "It is a different ball game. The company will come at it in a different way—and we need to be prepared too."

Reflecting on lessons learned, identifying and developing new leaders: the cycle of organizing continues.



# STRIKE TIMELINE

**Don't wait until a strike or lockout is imminent to start preparing. If you do, you can be sure management will be way ahead of you.**

Exactly how much lead time you'll need depends on how many years between contracts, how many people in your bargaining unit, and how experienced your group is.

But you almost can't start too early! As a rule, when you wrap up one contract, it's time to celebrate, catch your breath—and start thinking about the next one.

This timeline applies whether you're at the helm of the union or part of a rank-and-file caucus pushing reluctant leaders to build toward a strike

What is your employer's economic situation? How much impact could a strike have?

- Identify your leverage. What can you shut down? Where can you have the greatest impact?
- Analyze customers and suppliers to find additional points of leverage.
- When will a strike have maximum effect? Set a deadline and drive to it.
- How big will your strike need to be? How many facilities will you need to strike at once?

## SUPPLIES CHECKLIST

- Picket signs
- Leaflets for passersby
- Whistles, drums, horns, and chant sheets
- Sign-in sheets and clipboards
- A phone list of picket captains, lawyers, media, and other key contacts
- Bullhorns, and possibly a portable sound system
- Music, live or recorded
- Cameras and other recording equipment
- First-aid kit
- Reflective safety vests, if you are blocking traffic
- Water and snacks, and meals if the shifts or the strike are long
- Weather gear, depending on the season—perhaps rain ponchos, burn barrels, coolers, or an awning

## FOUNDATION PERIOD

*Deciding to strike means developing a strategy to win the strike. A year or two in advance, assess how much power you will need and where your leverage is, and start building the organization you will need.*

**Analyze your opponent and your power** (see page 4).

- Research corporate finances.

**Get organized internally.**

- Map your workplace. Assess where your union is strong and weak.
- Identify and recruit workplace leaders to a Contract Action Team, aiming for a 1:10 ratio. (See page 20.)
- Run small campaigns and group grievances to test your network and build members' confidence.

(See page 18.)

- Elect a diverse bargaining team that reflects the membership. (See page 2.)
- Do a bargaining survey and develop demands. (See page 22.)

**Germinate alliances.** (See page 24.)

- Start reaching out to community

leaders, other unions, clergy, and politicians. Support their campaigns. Discover common issues.

- Map the community relationships held by the union's own members.
- Identify campaign themes that can resonate with the public. (See page 25.)

**Start talking about why you may need to strike.** Make the case to co-workers. Answer people's questions and fears.

**Create a strike fund.** You may need a campaign to raise dues, or in an open shop, a membership drive. Start saving money from each paycheck and pay off credit cards.

## KICK-OFF

**At least months in advance, hold a big event to "go public,"** kicking your campaign into gear and building excitement. This could be:

- A press conference
- A meeting of the Contract Action Team or the full membership
- A march on the boss to deliver a petition showing majority support for the union's top demands

## ESCALATION PERIOD

*Your campaign should gradually increase in intensity, so that both members and the employer can see the strike chugging closer like a mile-away train. By the time you're nearing a strike, no one doubts that you can pull it off, and the employer has plenty of motivation to back down.*

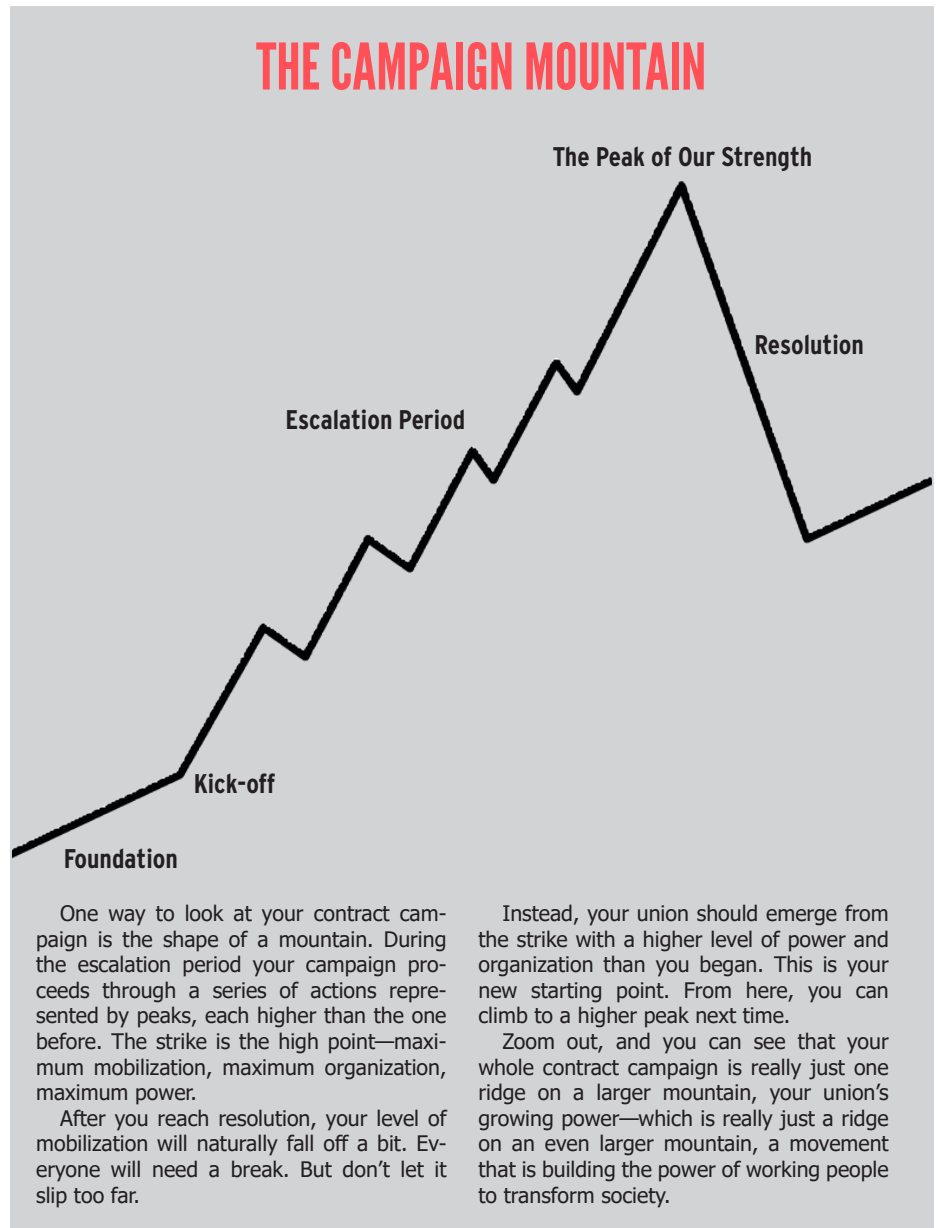
**Bargain inclusively and transparently.** (See page 22.)

**Involve co-workers and community allies in a series of escalating actions.** (See page 18.)

**Reach out to local reporters to give your side of the story** and lay the groundwork for what's to come.

**Prepare your leverage.** (See page 4.)

- Members turn down overtime if it would build management's inventory.
- Members are trained to recognize and document management's unfair labor practices. (See page 14.)



- Workers continue to put away savings in case of a long dispute.
- Assemble a complete list of suppliers and customers.

**Build to a strike vote with huge participation.**

## STRIKE PREP

*In the weeks leading up to the strike, it's time to translate the leverage you've analyzed into a practical plan. You'll also need plans to take care of members' problems and gain support from their families and the community.*

**Set up a strike headquarters** near the main strike location with phones,

Internet, supplies, and a copy machine.

**Confirm every member's cell phone number.**

**Assign roles.** You will need:

- Picket captains for every location. They will establish the picket schedule, coordinate roles and assignments at their sites, take attendance, and maintain communication.
- A media outreach committee ready to talk with reporters, issue press releases, and hold press conferences. (But all members should be well-versed in the demands and able to put their personal stories to use.)
- A strike bulletin committee,



## PLAN GOOD CHANTS

Do a chant brainstorming session. A few pointers:

- You need at least six or seven chants to keep it from getting boring.
- Come up with something new and specific. Include the name of your favorite villain.
- Make it fun. Hundreds of Oregon state workers marched through a building chanting, "Impasse? My ass!" But consider your group's tastes. Will people enjoy a rowdy chant, or not?
- Match your chants to your message, since a chant could show up in the next day's paper.
- Keep it simple. Chants need to roll off your tongue.
- Try call and response, or question and answer. Los Angeles teachers chanted, "It's been said and it's been told, L.A. Unified has no gold. What about that deep reserve? That's the money our kids deserve!" On your chant sheet, print the leader's lines in bold and the group's in regular type.
- Try simple musical chants, using a familiar tune. The chorus of "We Will Rock You" can become "We are, we are union!" or "We are \_\_\_\_" (name your union, job, or industry).
- Shift the accents off the expected beats, if you can pull it off. For instance: "We're gonna beat... back... the boss attack, we're gonna beat beat back, the boss attack." This may get picketers dancing to the beat.
- Road-test your chants with a small group. If people are stumbling on the rhythm, adjust the wording.

At the picket line, pass out a chant sheet. Encourage new people to take the lead on chants, as long as they have a good sense of rhythm and are willing to be loud.

- prepared to work fast.
- Someone prepared to interact with the police.
- Lawyers on call. Pick someone with a track record of successfully defending strikes.
- A strike fund committee, headed by a trusted member, to dispense benefits and handle any bail money.
- A food committee to collect food donations and distribute them through a food bank or communal kitchen.
- A family support committee to involve family members in the strike.
- An outreach and fundraising committee to solicit support from other unions, neighbors, religious and community groups, and the general public.
- A flying squad of the most energetic members to follow scabs, juice up the picket lines, and deal with difficulties.

**Plan your picket line strategy.** The point of a strike is to shut down normal operations, and the picket line is the way you make sure things stay shut down. It's also the public face of the strike. Know what your goals and capacity are, and set up a plan.

- How can you have the most impact on operations?
- How many locations/entrances do you need to cover? Which of those will have the most impact?
- Where exactly will you be picketing—on the sidewalk or the employer's property? On the sidewalk your constitutional free-speech rights apply to a degree, but the police may prohibit obstructing

pedestrians or vehicles. They may require permits or continuous motion and ban profanity.

- Will you try to prevent people from entering or exiting the workplace? Which people? How? Blocking access to a building is illegal in most places, so you'll need a plan for how you will deal with the police and legal action.
- Are you planning to block traffic? How?
- What legal do's and don'ts will picketers need to know?
- What is your plan if an injunction limits picketing?
- What times of day are the highest priorities? How can you break up your group to cover those?
- How will you interact with the public?
- What supplies will you need to keep people going?
- Where can picketers find restrooms and parking? Consider friendly restaurants, churches, or other unions.
- Are you maintaining 24-hour pickets? Or will you, for instance, picket in the morning and march or rally in the afternoon?

**Decide your strategy to deal with scabs (replacement workers).** This might include:

- Publicizing the strike and its goals.
- Mass picket lines.
- Finding out how scabs are being recruited and when they are coming to work.
- Interfering with scab recruitment.
- Investigating temp or day labor agencies that are providing scabs (and may be violating their rights).
- Asking scabs to leave.
- Speaking to scabs in their own language if they're not English speakers.
- Stopping deliveries.
- Dealing with management employees who are crossing picket lines.

**Set up a communication system.** Nothing is worse during a strike than feeling you are in the dark.

- You'll need a daily strike bulletin, distributed to the picket lines and by email.
- Distribute a phone list to the picket captains.
- Set up a Facebook group, hashtag, or online hub where members can



Joe Brusky

## NEVER DO THIS

Picketers must never engage in racist name-calling. The issue is not that the manager or the scab is an immigrant or a member of another race or ethnic group, but that he or she is a scab—period.

exchange pictures, videos, and news.

- Some unions use a mass texting system to deliver short messages quickly to the whole membership.

**Hold strike prep sessions for all members**, where you review the plan and legal rights, and have a work session to make picket signs or prep other supplies.

**Let allies know how they can help.**

- Ask your local Teamsters and county labor council to honor your picket line.
- Invite unions and community groups to picket with you, share space or supplies, talk with reporters, and donate to a hardship fund.
- Consider particular roles for allies with positions of special stature or credibility, such as clergy members or politicians—or for very close allies who are willing to take extra risks.

## DURING THE STRIKE

*Keep spirits high. Prioritize meeting members' needs, so that you can hold out longer than the boss. Keep finding new ways to needle your opponent. Encourage ideas and initiatives that bubble up from the rank and file.*

**Hold frequent membership meetings, including:**

- Childcare or a kids' meeting.
- Reports on the progress of negotiations; the strike's effect on production, profits, and the employer's morale; funds raised and disbursed; other support received.
- Entertainment.
- Solidarity greetings from supporters.
- Most important, open discussion of the conduct of the strike and the state of negotiations.

**Keep picket lines fun** with barbecues, rallies, singing, dancing, inflatables, and funny signs or props.

**Keep the bosses on their toes.** Pickets don't have to be at the same place every day or every time. If the employer tries to use a different door to bring people or deliveries in, picket there too!

**Are there secondary targets that the union should focus on** as well? Consider businesses that sell your goods, subsidiaries of your employer, customers, banks, landlords, stockholders, politicians or other allies connected to your employer, and businesses and homes owned by directors and stockholders. Leaflets and banners are allowed to be very inflammatory: "Republic Bank is a criminal enterprise," assuming union research has turned up past legal violations. You can bring an inflatable rat. Just be careful of the legal limits on "secondary" picketing; see page 15.

**Send groups of picketers ("flying squads") to target scabs if they try to move work around**, as during the Verizon strike (see page 19), or to chase high-profile targets to events with a lot of visibility, like a shareholders meeting or a political fundraiser.

## ENDING THE STRIKE

*The pressures of a strike will tend to create fissures in the leadership and in the membership. Members will disagree about how to carry out the strike, about the terms of the contract offers, about when to settle. They will get through these intense struggles about strategy and principle best if they have the strongest bonds of mutual respect and solidarity.*

**A contract settlement should include an amnesty clause** waiving all employer charges against individuals for picket-line misconduct. All litigation by the employer should be withdrawn.

**After you reach a tentative agreement, make sure members are well-informed before the vote**, with plenty of time for discussion (see page 26).

**Walk back in together.** Make this a powerful group activity.

**Always end campaigns with evaluation, celebration, and preparation**—whether it's a win or a loss. Afterwards, build on your organizing and start preparing for your next contract campaign.

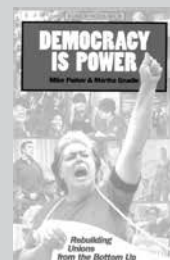
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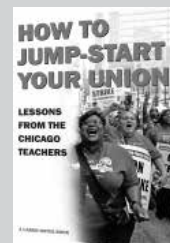
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## SPECIAL ISSUE

# HOW TO STRIKE AND WIN: A LABOR NOTES GUIDE

As we finish this pamphlet 49,000 GM workers are on the picket lines, 25,000 Chicago Teachers have set a deadline for a walkout, and after a long absence, the strike seems to be back in the US of A. The teacher strike wave of 2018-19 caught everyone off guard—but showed that workers' most powerful tool can still win.

So instead of our usual mix of articles, this month we're sending you a special expanded issue—a manual on how to strike. We're betting that's info that more and more unions are going to need in the near future. Next month we'll be back to our usual format.

### SPREAD THE WORD

To order a stack of copies of this manual, call 313-842-6262 or visit [labornotes.org](http://labornotes.org). Get 50 copies for \$50, or 100 for \$100.

### GO DEEPER

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Come to the biennial Labor Notes Conference in Chicago April 17-19, 2020. There you'll meet 3,000 fellow activists and choose from among 200 workshops—many of them about how to fight for a contract or strike. See [labornotes.org/2020](http://labornotes.org/2020).

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