

SYMPATHY STRIKING AT KAISER

Our SEIU-UHW Kaiser Executive Board is calling on our 22,000 Southern California members and other union members to engage in a 24-hour sympathy strike on Nov. 18, 2021 to protest Kaiser's disrespect and support our co-workers in the Alliance of Healthcare Unions. 36,000 SEIU-UHW Kaiser members in Northern California are sympathy striking the same day with the Local 39 Operating Engineers. Be sure you understand the facts and our rights to sympathy strike.

Basic Information

What is a sympathy strike?

A sympathy strike is when members of one union strike in sympathy with members of another union who are on strike. Withholding our labor in solidarity is a powerful way to protest against unfair treatment by our employer and to take a stand for fair treatment and real respect.

Why is the Alliance of Healthcare Unions striking?

The Alliance has been bargaining with Kaiser for many months without resolution and several of their contracts have expired. Kaiser is insisting on dramatically lowering pay rates for new employees, a divisive scheme known as "two-tier" that devalues everyone's work, will make the staffing shortage even worse, and cause patients to suffer while Kaiser pads its profits.

Is it legal for SEIU-UHW to sympathy strike with the Alliance?

Yes, provided we give ten days notice to Kaiser.

How long would our sympathy strike be?

The plan is for a 24-hour strike at all Kaiser facilities in Southern California starting at **7 am on Thursday, Nov. 18, 2021 through 7 am on Friday, Nov. 19, 2021.**

Doesn't the "No Strike" clause in our contract prohibit us from engaging in a sympathy strike?

No. The Ninth Circuit Court of Appeals has ruled that a union must explicitly waive the right to sympathy strike in order to have a contract prohibit it. A general no strike clause does not prohibit sympathy strikes. *Children's Hosp. Medical v. California Nurses*, 283 F.3d 1188 (9th Cir. 2002).

What am I expected to do during the sympathy strike?

Show up to the picket line and bring your family. Kaiser's two-tier pay scheme is a divisive devaluation of all of our work. We have to stand with the Alliance members as they resist Kaiser's attempts to make the staffing crisis worse and undermine patient care. "An injury to one is an injury to all!

FACT SHEET: SYMPATHY STRIKING AT KAISER

Work Questions

Will I get paid if I go on sympathy strike?

No. Going on a one-day sympathy strike is a short-term sacrifice to invest in our long-term future. If Kaiser is successful in forcing its two-tier proposals on the Alliance, the stage will be set for the rest of us. This proposal is only one part of what's wrong with Kaiser's demands, which have included benefit cuts and lower bonuses. Take a stand now to protect what we've worked for over the long term.

Can I use vacation or sick days for the sympathy strike?

No. Sick days and vacation days cannot be used during a sympathy strike.

Can I sympathy strike if I am on probation or on call?

Yes. Probationary and on-call employees have the same right as everyone else to sympathy strike.

Can Kaiser legally fire or discipline me for sympathy striking?

No. Since our sympathy strike is a protected, concerted union activity, it is illegal for Kaiser to even threaten an employee with discipline. Please report any abuse by management immediately to a union steward or SEIU-UHW organizer.

Do I need to tell my supervisor I will not be reporting to work on the strike day?

No. Kaiser will be given notification ten days

in advance. Your supervisor may ask you if you are participating in the sympathy strike. Your SEIU-UHW Kaiser Executive Board recommends that you answer "YES."

What About Others?

What will happen to our patients during a sympathy strike?

We are required to give a ten-day notice before our sympathy strike. It is then Kaiser's responsibility to reschedule procedures, hire temporary replacements, and make a plan to provide care.

Can non-union members or members of other unions join the sympathy strike line?

Yes. Generally, other hospital workers can lend support and make an individual decision not to cross the Alliance's picket line.

What's Next?

All SEIU-UHW Kaiser Southern California members will be asked between Nov. 10 and Nov. 16 to support the sympathy strike. Voting will take place at facilities beginning Nov. 10. Additionally, links to vote electronically will be sent to members' contact information on file with the union.

If you need to update your contact info or have questions, email kp@seiu-uhw.org.