

PICKETING

With a strike against the Company a distinct possibility in the near future, it would be beneficial to review the current status of the rules regarding picketing by striking employees.

Generally, economic picketing is permitted at all work locations. These include office buildings, exchanges, maintenance yards, truck depots, dispatch stations, and other locations where employees of the struck employer are regularly assigned to work. This primary picketing is lawful even if it causes some incidental harm to neutral employers doing business with the struck employer.

When a telephone company office shares a building with other neutral employers, the common situs picketing rules apply. These rules, as announced by the NLRB in its Moore Drydock decision are:

- (1) Picketing must be limited to times when the Company employees are actually present at the common site.
- (2) Picketing must be limited to places reasonably close to the operations of the Company workers.
- (3) The pickets must show clearly that their dispute is with the Company alone.
- (4) The Company workers must be engaged in the Company's normal business.

In short, it is legal to picket an office building or other work site where there are other employers besides the telephone company's operations, and the signs show clearly that the dispute is with the telephone company alone.

The employers may attempt to set up a reserved gate for the exclusive use of outside contractors and their employees. If the other employers' employees using the reserved gate are doing work unrelated to the normal operation of the Company, it is illegal to picket that reserved gate. However, if the independent contractor is performing work for the telephone company, such as routine maintenance, the reserved gate may be picketed.

For example --- if the telephone company rents out space in one of its buildings to an entirely unrelated business enterprise, such as a law firm, CPA firm, or other commercial tenant, it may reserve one or more doors for the exclusive use of the employees of these unrelated businesses. CWA could not lawfully picket that door.

However, if the telephone company has a sub-contract with a janitorial firm to clean its building, CWA could lawfully picket the gate reserved for the employees of the janitorial firm. CWA may also lawfully picket a gate or entrance used by those making regular deliveries to the Company location.

Apart from primary picketing, certain secondary picketing of independent, unrelated businesses who are selling telephone company products or services is also permissible. This picketing is legal so long as it is clearly directed at discouraging the consumer from buying or using telephone company goods and service and not from patronizing the independent businessman. It is an unfair labor practice to threaten or coerce the independent to stop handling telephone company products, but it is not an unfair labor practice to tell the unrelated businessman that he will be peacefully picketed or hand billed if he does not cease handling telephone company products.

The exception is the case of the unrelated businessman who derives substantially all his sales or income from the sales of Company products and services. However, if the unrelated businessman is a department store, convenience store, or other type of store, which derives its principal revenues from sources other than company products, such picketing discouraging the purchase of telephone products is not illegal. **No one should set up any picket lines at secondary locations without first checking with the Local.**

PICKETING INSTRUCTIONS

1. Do not interfere with access to the picketed facility or with use of sidewalks or roadways.
2. Do not threaten or engage in violence or use abusive language.
3. Under no circumstances should any of the following be allowed on the line or in the vicinity of the line:
 - a. Firearms or any other type weapon
 - b. Alcoholic beverages, drugs, or persons noticeably under the influence
4. **OBEY POLICY INSTRUCTIONS AND ALL COURT ORDERS.**
Picket captains should ask police officers to identify themselves.
Call the Union to report incidents involving police and collect names and written statements from witnesses.
5. If someone asks or orders you to leave a location:
 - a. Take their name and the name of their employer.
 - b. Ask their source of authority.
 - c. Contact the Union immediately so that unfair labor practice charges may be filed.
 - d. Get names, addresses, phone numbers and written statements from witnesses.

Do not engage in violence or resist arrest.

WHEN SOMEONE CROSSES THE LINE

1. Do not threaten, intimidate, or use abusive language on anyone crossing the line. **SCAB is not abusive language.**
 2. Take names and pictures of all craft people who cross the line. Keep a record of the date, time crossed, location, and a list of witnesses. Call this information into Strike Headquarters daily.
CHARGES WILL BE FILED.
 3. All vendors going to the Company buildings should be encouraged not to cross the picket line (do not argue or intimidate). Take Company names of all that cross the line and call them into Strike Headquarters.
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CHARGES AGAINST MEMBERS

I do hereby swear and affirm that _____
(Name of Accused)

did violate Article XIX, Section 1, Paragraph (e) of the CWA Constitution by
crossing an authorized picket line in connection with a properly approved strike
by Communications Workers of American on or about _____
(date or dates)

with such picket line being located within the jurisdiction of Communications
Workers of America, Local 3204. These charges are filed in accordance with
Article XX, Section 2, of the CWA Constitution.

Signed and sworn to by:

(Name)

(Date)

(Street address)

(City/State/Zip)

(Home telephone)