

KNOW YOUR RIGHTS - OEA STRIKE

Stand United in the Fight for Better Schools

Frequently Asked Questions



Can I refuse to cross the teachers' picket lines and participate in a sympathy strike?

YES. California's courts have repeatedly affirmed workers' rights to participate in sympathy strikes. Furthermore, our contract has expired and the no-strike clause no longer applies. If you are told otherwise by the School District, immediately report it to your shop steward or Union steward.

Can I be legally disciplined or fired for refusing to cross the picket line and participating in a sympathy strike?

NO. Honoring another union's peaceful picket line is protected, and it is illegal to retaliate against you for doing so.

My supervisor wants to know if I will be coming to work when the strike happens. What should I do?

You don't have to tell your supervisor in advance if you plan to participate in a sympathy strike. You have the right not to be intimidated or interrogated about whether you plan to exercise your right to stand with your coworkers in the fight for better working conditions.

What should probationary employees do in the event of a strike?

Workers who are still on probation are still at-will employees, meaning that the District can fire you for any reason. Because of this, we advise workers who are still on probation to report to work. Please document and report to the Union any intimidation that you may be subjected to by the District or its agents.

I am being asked to take on additional responsibilities during the strike. What should I do?

You should also not be doing teachers' work. Per the Education Code, classified staff should not be supervising or instructing students without a teacher or

other credentialed staff present. Report any unsafe or unlawful situations immediately to your shop stewards or Union rep.

What if I am asked to do work that is outside the duties of my job classification?

Your contract does not require you to take on any duties outside of your job classification. You also should not take on any duties that are either unsafe or unlawful. So if you are asked to perform work outside of your job classification, and the assignment is not unsafe or unlawful, you must make a decision whether to accept the assignment or not. If you are threatened with discipline if you don't accept the assignment, please comply with the request and document the assignment and report it to your union.

I want to honor the teachers' picket lines and participate in a sympathy strike. What should I do on the day of the strike?

Wear your purple and report to work. Call your supervisor before you enter the building. Let them know that you are exercising your right to engage in a sympathy strike. Then participate and join the picket line with SEIU 1021 members and the many other supporters who will be there to show solidarity with the teachers.

There is additional information in your contract about working out of classification. Remember that the District has a vested interest in convincing classified workers to fill in for OEA teachers during any teachers' strike. But remember also that classified employees have a vested interest in sticking together and supporting the teachers in their fight for fair treatment, wages and classroom conditions.

If you have questions, or would like a copy of this contract language, please call the SEIU 1021 Member Resource Center at 1-877-687-1021.