

CWA Authorized Strike Process

The CWA Constitution requires two steps: a secret ballot vote of the members and Executive Board authorization. In addition, by longstanding policy, the CWA Executive Board has delegated to the President the authority to set the strike date.

Each step of the strike approval process should be incorporated into our bargaining strategy process. Most of our bargaining is resolved successfully prior to a strike due to our preparation, effective bargaining and mobilization. Many of the information and preparation items listed in Step 2 are regularly performed months in advance of a bargaining deadline. Their importance only grows as we contemplate a strike.

As the decision to strike or not is so important, answers to the following questions must be provided in a timely fashion to evaluate the request for Executive Board authorization and the President setting the date.

This strike approval process, and the required analysis and forms, will enable us to work together to choose the most effective strategy for our members seeking successful agreements.

Step 1: Strike Vote by the Members

The CWA Constitution, Article 18, Section 6 provides the procedure for a Local strike vote and is replicated:

CWA Constitution: Section 6 – In taking a strike vote Locals shall act in accordance with the following minimum requirements:

- a. The Locals shall, upon reasonable notice, call a meeting of its members, wherever feasible, and present the issue or issues involved in the proposed strike;*
- b. The members present at such meeting shall vote by secret ballot on the question of whether or not a strike shall be called;*
- c. Where meetings cannot, feasibly, be called, a secret ballot shall be taken of the members, by mail or otherwise, on the question of whether or not a strike shall be called;*
- d. A majority of the members voting shall determine whether or not a strike shall be called;*
- e. Copies of notice of the result of strike vote shall be sent to the Vice President and to the President of the Union.*

Step 2: Strike Request Authorization Made to the Executive Board

The Constitution states that after a strike vote has been taken and a strike is imminent, and the Vice President has notified the President, the President shall notify the Executive Board within 10 days to determine the action to be taken. Prior to a Board Poll to request strike authorization, the responsible Vice President must provide the following information.

1. General Information

- a. Date of request: _____
- b. Local Number: _____
- c. Vice President designated Key bargaining Contact:
 - i. Phone Number: _____
 - ii. Cell Phone Number: _____
- d. Appropriate District, Division, and Sector Vice President supports. Names of Approving Officers: _____

2. Employer Information

- a. Employer Name: _____
- b. Services, Products or Line(s) of Business: _____

- c. Number of CWA-represented employees in bargaining unit: _____
- d. Number of members/non-members by local (if more than one local is involved): _____
- e. Number of work locations: _____
- f. Total number of employees at parent employer: _____
- g. Total number of CWA members at parent employer: _____
- h. Employer website address: _____

3. Bargaining Status

- a. Contract expiration date: _____
- b. How many bargaining sessions have been held: _____

- c. Date of last bargaining: _____
- d. Dates of future bargaining sessions: _____
- e. Summary of bargaining (include specific management demands and proposals that are major problems): _____

- f. Who is top employer contact and what is their title: _____

4. Strike Vote and Preparation

- a. Date of strike vote: _____
 - i. Number of eligible members: _____
 - ii. Number voting "yes": _____
 - iii. Number voting "no": _____
- b. Is local in legal position to strike: YES NO
 - i. Have the legal notices been properly given: YES NO
 - ii. Have the notices required by the contract been properly given:
 YES NO
If YES to (i) or (ii) , provide copies of notices.
- c. Is the bargaining unit in the public or health care sector:
 YES NO
- d. If the unit is a public sector, what is legal authority to permit a strike if the President sets the date: _____

- e. If the unit is governed by the health care requirements of the NLRA, has notice been provided: YES NO
If so, please provide a copy.

- f. Has local set up strike and welfare assistance machinery in accordance with CWA rules: YES NO
- g. Has a request for a Defense Fund Grant been made: YES NO
If so, please append and skip any duplicate questions below.

5. Bargaining Status/Power Analysis

- a. Describe the nature of the work performed and the ability of the employer to secure alternate/replacement skilled workers : _____

- b. What is our strategy if permanent replacements are hired: _____

- c. Can the work be transferred to another plant or facility:
 YES NO
- d. Have Labor Board charges been filed: YES NO
- e. Are there other unions with contracts with the employer:
 YES NO
 - i. What are their contract expiration dates: _____

 - ii. Have they been contacted: YES NO
 - iii. Do they have the same issue/issues: YES NO
 - iv. Do you have copies of their agreements: YES NO

6. Mobilization Assessment

- a. Does the local(s) have a mobilization structure: YES NO
If yes, describe: _____

- b. Provide specific summary of membership/community mobilization actions up to this date. Include number of members participating in actions or percent of members participating. List type of actions and provide numbers of projects and outcomes: (For example, if a letter writing campaign is underway, provide the number of letters sent. If a petition drive is underway, list the number of signatures obtained. Quantify actions as much as possible.)

- c. Is the employer or this product subject to

i. community pressure: YES NO

ii. Product boycott: YES NO

iii. Shareholder/investment community pressure: YES NO

iv. Does the employer contract with state or Federal government:
 YES NO

v. Does the employer enjoy any tax or other governmental subsidies:
 YES NO

- d. List any allies or partners who are supporting this campaign and specifically what they have committed to do: _____

- e. What is the business plan/focus for employer/parent; how does this location relate to the overall employer: _____

7. Strike Tactic Assessment

- a. Why do you think a strike will be successful: _____

- b. How long do you estimate it will take for a strike to be successful or have an economic impact on the employer: _____

- c. How long do you estimate members will strike: _____

Step 3: The CWA President Sets the Strike Date

1. Recommendation from Vice President(s) to set the strike date.
2. Name one staff person as point of contact with Executive Office.
3. Bargaining Chair provides a full written summary list of all open and TA'd items indicating the serious issues and the Union and Employer positions for each of them.
4. Status on any attempts to reach top management contact beyond the bargaining table.
5. The responsible Vice Presidents and the President discuss the bargaining status, strategy and tactics, with the President to set the strike date.

The CWA Executive Board Strike Authorization poll does not authorize a strike. An affirmative vote of the Board is only authorization for the President to set the date. No strike is authorized until the date setting procedures on Step 3 have been completed and the date set by the President. The language of the members' strike vote, including "Reject – I authorize a strike", does not authorize a strike without the President setting the date. No strike is authorized until a date is set by the President.