

GUEST BLOG: DO NON-UNION WORKERS HAVE THE RIGHT TO STRIKE?

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Mathew Parker's article "Do Non-union Workers Have the Right to Strike?" was featured in *Columbus CEO* on December 23, 2015.

There's an old saying that companies that don't have unions don't have strikes. But that's not always the case. Over the course of the last three years, the "Fight for 15" movement has orchestrated ten nationwide demonstrations and strikes by fast food and other low wage, non-union workers. The most recent on November 10 targeted 230 US cities. One of the targeted cities was Columbus where a rally at City Hall was applauded by US Senator Sherrod Brown. A much larger rally was staged at McFerson Commons in August. Another targeted city was Oakland, Calif. where a walk-out by fast food workers was led by a former US Labor Secretary. The announced purpose of the "Fight for 15" movement is to force low wage employers to pay more than double the federal minimum wage (currently \$7.25 hr). The campaign is funded by the Service Employees' International Union which is trying to organize the fast food industry. The "Fight for 15" walkouts have rekindled questions about the scope of non-union workers' right to strike.

In the article, Mathew provides best practices, when confronted with an in-plant work stoppage:

First, offer to meet with a delegation of employees and encourage them to fully explain their grievance.

Second, don't rush it. Take some time to ponder your decision on the grievance.

Third, after permitting the employees to persist in their protest for a reasonable period of time, inform them of your decision and tell them that it is time to either return to work or leave the plant. Do not tell them that they will be discharged unless

they return to work. It is the employee's refusal to leave the plant (not their refusal to work) which is unprotected.

Fourth, if the in-plant stoppage persists, summon the police to eject the sit-in strikers as trespassers.

Fifth, dock the pay of everyone who refused to work.

Sixth, thoroughly document what occurred.

To read the full article, please visit [Columbus CEO](#).