



To: City Staff not Members of Teamsters Local #320
From: William H. Reynolds *WHR*
City Administrator

Date: December 5, 2023

Re: Potential Strike by the Teamsters Local #320

Teamsters Local #320, which represents Public Works department employees, has notified the city of their intent to go on strike if a contract settlement is not reached. We remain hopeful that a strike can be avoided. We understand that you may have questions and want to provide information if, unfortunately, a strike does occur. The earliest the union could strike is ten days following a formal intent to strike submission. This would occur sometime after expiration of the current contract on December 31, 2023.

The Teamsters' Question: To Work or To Strike? The decision is very personal, and each person will have to decide for themselves. If someone decides to work, we'll be glad to have them work. If someone decides to strike, we will respect their right to do so and will welcome them back when the dispute has been settled.

How Does This Affect Other Employees? I want to apologize in advance, because if a strike occurs, it will affect you and your workday. The city will continue operations and service delivery to the public during a strike. If you are not a member of Teamsters Local #320, you are required to report to work as usual. It is illegal for you to participate in a strike by the Teamsters. If you are absent from work without approval during a Teamsters strike, you will be presumed to be engaged in an illegal sympathy strike.

If this occurs, you will be contacted by your supervisor or another management representative and given a second chance to report to work. If you don't report to work as instructed, you may be subject to an employment investigation and possible disciplinary action.

What If You Want to Support Your Striking Co-workers? You can, but you have to be careful in how you do it. You can picket on your own time [before or after work, on your lunch break (not on your city-paid breaks), or on your days off] as long as you carry only an informational sign (for example: *I Support the Teamsters*) and not a sign that in any way that makes it appear you are on strike. Carrying strike signs or participating in other strike-related activities such as the following may result in an employment investigation and possible disciplinary action:

- using city resources for strike-related purposes (city printers, computers, etc.);
- wearing, posting, or displaying strike-related messages, e.g., on buttons, shirts, cars, etc., while on the job;
- reporting to work, but not doing your job or performing your duties in a substandard

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manner;

- any activity designed to slow or disrupt city services to the public, including sabotage, threats, and similar inappropriate activity.

This list is not meant to be all-inclusive. There are other things which would constitute prohibited strike-related activities.

Work Schedules & Locations. You may be asked to work a different schedule and/or to work from a different location. We will do our best to minimize these changes. Your supervisor will let you know where and when to report for work if a strike occurs and we need to make a change that affects you.

Work Assignments. You may be assigned work other than your normal duties. If appropriate, you will be paid “out of class” pay. If you are assigned to work overtime, you will be compensated for the overtime work as usual. If you refuse to perform an assigned duty, you may be disciplined for failing to comply with a work directive.

Attendance. You will be expected to report to work at the designated place, day and time and may be required to provide positive identification, so please remember to bring your city-issued photo id. If you intend to work on any given day, but are unable to report to work as scheduled, you must call in and talk to your supervisor.

All such calls must be made within 15 minutes of your scheduled start time. The purpose of the call is so that your supervisor can report your working status and that you are not engaged in an illegal sympathy strike.

Vacation & Other Leaves. If you already have approval for vacation leave to begin sometime after the first day of the strike, it may be honored or canceled based on the needs of the city. Check with your supervisor. New vacation requests and other types of leave may be granted at the supervisor's discretion. All leave requests must be made and approved or denied in writing.

Sick Leave. Requests to use sick leave during the strike may be approved by your supervisor and may require receipt of acceptable documentation from a medical practitioner. To be acceptable, the documentation must state that you were unable to work for medical reasons (illness, injury, medical appointments, etc., of you or another person for whom sick leave may be used) for the duration of your requested leave. The statement from your medical practitioner must be submitted to your supervisor immediately upon your return to work from the leave.

Other Leaves. FMLA-qualifying leaves underway when a strike begins will be continued. All other paid leave of absence (except military leave) may be canceled. If you are on *unpaid* leave at the time the strike begins, your leave may be continued at the discretion of your supervisor.

Crossing a Picket Line. Peaceful picketing of a workplace by a reasonable number of employees

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during a strike is an employee right. However, pickets cannot physically prevent other employees or the public from entering or leaving a building or city property. Pickets cannot engage in violence or threats of violence.

We generally know where to expect picket lines to form. We have reminded the Teamsters that all other public employees are required by law to cross picket lines to report to work, so you should not experience any problems crossing a line. Here's what you need to do to safely and legally cross a picket line:

- If driving, come to a *complete stop* before proceeding through a picket line even if the pickets are just standing along the side. If they are standing across your path, they should move aside to let you pass after you have come to a complete stop. After stopping, proceed slowly across the line.
- If walking, walk across/through the line quickly.
- You may find it helpful to drive to work with other employees during the strike.
- Similarly, if you have to walk through a picket line, you may want to do it with other people if possible.
- If you don't know anyone on the line and they seem to be challenging you, tell them that you are a city employee or something similar to let them know that you don't have a choice about crossing the line.
- Do not engage in adversarial conversations or actions.
- Leave the area immediately after crossing the line.
- If you encounter difficulty crossing the line, leave the area and contact Shakopee PD at: 952-233-9400. Then follow their instructions.

Strike-Related Incidents. Things don't always go smoothly during a strike. There will be people working the picket lines who are not city employees. If you experience or witness any inappropriate strike-related behavior, you should immediately report the incident to a supervisor unless it is an emergency situation. In an emergency, call 9-1-1 and then call a supervisor. Supervisors are required to report all incidents they observe, or which are brought to their attention using the *Strike Incident Report* form. The form will be available on the Public Works and Human Resources CityNet pages. The forms should be emailed to Chelsea Petersen at cpetersen@shakopeemn.gov.

Conclusion

We hope that a strike can be avoided, but it's always best to be prepared. If you have questions, please contact me at 952-233-9311, or Chelsea Petersen at 952-233-9310.

