

June 9, 2023
M23-007

To: SPEEA Council Members
From: **SPEEA Legislative and Public affairs Committee (L&PA)**
Subject: **PRE-SUBMITTED NEW BUSINESS: Support of The Right to Strike free from lawsuits**

Background

The right to strike is a fundamental human right and is the most powerful weapon in the hands of workers, and union siblings have fought bravely over the years in numerous battles.

SPEEA has had two strikes, The one-day strike on Jan. 19th 1993, and the 40-day strike Feb. 9th to March 20, 2000. The Unions at Boeing supported SPEEA IFPTE Local 2001. The Teamsters, The IAM and others. The whole labor movement supported us.

Teamsters local 174 here in Seattle went on strike against Glacier Northwest, Inc. in 2017, They announced the strike and told the employer that cement trucks would be brought back to the yard with concrete loads in them. There are things the employer could have done with trucks with loads of concrete, but did not choose to do so. **The company is insisting it should have the right to sue the union for economic damages even though the union concrete workers, in effectuating the strike, returned the concrete mixing trucks to the work yard and kept them running to ensure that the wet concrete would not damage the trucks.**

Now in 2023, some corporations, aided by anti-union groups, and anti-labor elected people in government are mounting their most vicious assault on our right to strike in decades, demanding that the U.S. Supreme Court allow employers to sue unions for economic damages resulting from strikes. This case, *Glacier Northwest, Inc. vs International Brotherhood of Teamsters*, which was argued before the U.S. Supreme Court this January, with an expected Court decision to be issued this spring, comes out of the 2017 strike by our union siblings at Teamsters Local 174. who bravely struck Glacier Northwest over the company's rampant abuse and intransigence in negotiating a fair contract, and in doing so were standing up for the rights of all construction workers to fair treatment and good working conditions.

The U.S. Supreme Court in 1959 affirmed that employers do not have the right to sue workers or unions for economic damage if the workers are engaging in a lawful strike, or even in a strike that is "arguably" lawful, unless the National Labor Relations Board has found the strike to be unprotected. Corporate interests now want to overturn this 63-year-old precedent and are demanding the unlimited right to sue striking workers for economic damages, because they realize this will be a potent weapon to wield against unions everywhere.

For an employer to be able to sue unions over the cost of strike damages could be very costly and cause many unions to make the option of striking even harder than it is already due to lawsuit costs and settlements.

Many workers and our members are not yet aware of this dangerous assault on our rights, and we have a duty to educate one another about this attack and mobilize ourselves and our fellow workers to speak out and take action.

Labor organizing is growing and the upsurge in union growth needs to be supported. The right to strike is key in this. While the particular facts of the legal case involve our Teamsters 174 union siblings, this legal case represents an attack on all of us as an adverse decision will impact all workers and would open the door to bosses filing lawsuits against workers any time they strike, thereby empowering employers, intimidating workers, and preempting strike activities.

SPEEA L&PA Committee Recommendation

The SPEEA Legislative and Public Affairs Committee recommends passage of this motion.

Prior to council action (voting) on any proposal for legislative or public affairs, the SPEEA Council's Legislative & Public Affairs Committee shall investigate and produce both pro and con statements and a majority committee recommendation.

Passage or adoption of any legislative or public issues proposal shall be by published ballot and require: Total affirmative vote must be a majority of all votes cast by Council members in attendance.

MOTION

It is moved that: **THE SPEEA COUNCIL supports the rights of Unions to Strike and opposes efforts including using Supreme Court rulings to weaken union rights and power, and also to allow employers to sue for damages.**

Pro's

- The Supreme Court may not rule in favor of this case, but have taken it up.

Con's

- Fighting a supreme court decision in favor of this case may take years and legislative fights in congress and the states to overturn any ruling.

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