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Vacant, Board Member  
Vacant, Board Member  
(terms ending 06/2014)

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Rey Rodriguez, Board Member  
Kathy Bryan, Board Member  
Joseph Sellner, Board Member  
Tanya Brown, Board Member  
(terms ending 06/2015)

January 23, 2014

Dear SCMA member:

It has come to SCMA's attention that UPE, Local #1, approved a strike vote on Jan. 6 and 7, 2014. While SCMA is not taking a position with respect to the merits of strike, or the existing dispute between the County and UPE (as SCMA is not privy to all of the underlying facts), we respect UPE's rights to engage in concerted activity.

SCMA also respects that our members may wish to show support for their fellow employees who are on strike. Thus, because SCMA is not taking a formal position as to the anticipated strike, each member within bargaining units 032 and 033 must decide how to respond when faced with a potential picket line, and whether to cross that picket line. Refusing to cross a picket line is considered a "sympathy strike." If the underlying strike is lawful and protected activity, then refusing to cross that picket line would also be lawful and legally protected activity for which the employee generally cannot be disciplined. Also, since SCMA's contracts with the County have expired, the "No Strike" provisions therein no longer apply. However, SCMA offers no opinion on whether the UPE strike or a sympathy strike would be a legally protected activity.

Also, please be advised that some SCMA members may not be entitled to engage in a sympathy strike, even if such a strike is generally legally protected. Firefighter and peace officer members are NOT permitted to strike. Attorney members may be violating their ethical obligations if they fail to provide competent services to their clients. There may be other reasons why individual employees may not be entitled to sympathy strike. If you are unclear about your rights in this regard, please contact one of SCMA board members identified above.

Sincerely,

Kelsey Johnson  
President  
Sacramento County Management Association