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Walkouts: Potential Impact as Employees Return to Work

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Presenters



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Presentation Overview

- Types of walkouts that have occurred/are occurring.
- What are walkouts and when are they protected under the law?
- As companies begin to reopen their doors and employees return to work:
 - What employers should watch for.
 - What employers can do in response.

Walkout Issues.

What are the hot button issues causing walkouts in the workplace?



Workplace Restructuring (Telework, Social Distancing and Enhanced Sanitation)

“Hazard Pay” Bonuses, Incentives and Enhanced Benefits (e.g. Enhanced Sick Leave and PTO)

Personal Protective Equipment (PPE)

Medical Testing (Temperature Screening, Antibody Testing, and Screening Protocols)

Where Are We Seeing Walkouts?

Walkouts are impacting all industries.



Healthcare

Demand for PPE, Hazard Pay and Enhanced Benefits



Manufacturing

Workplace Restructuring and Medical Testing



Retail

Workplace Restructuring, Hazard Pay and Enhanced Benefits



Food Processing

Workplace Restructuring and Medical Testing



Technology

Demand for Hazard Pay and Enhanced Benefits / Social Justice Issues

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Legal Framework – Walkouts

Legal Framework – Health & Safety Walkouts Unionized Employees

- Section 502
 - “Abnormally dangerous condition”
 - Cannot permanently replace strikers
- Contractual rights in the CBA
 - Providing grounds for a “safety stop”



Non-Unionized Employees

- Protesting “unsafe or unhealthy working conditions”
- Unclear “reasonableness” requirement
- Employee demand to address workplace issue/policy

DEMAND MORE



Legal Framework – Social Justice Walkouts



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Be On the Lookout!

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Keep Your Eyes and Ears Open!

Optimal Strategy – Have a dialogue with employees so that it does not reach the point of a walkout.



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Coming after the recent surge in strikes, the pandemic has been "like a match to a haystack," said [Service Employees International Union President Mary Kay Henry](#). "I think the conditions are ripe for mass organizing," she said. The SEIU, which represents health care workers, janitors and other service workers, has heard from employees in several nonunion workplaces and organized a series of fast-food sector walkouts through its Fight for \$15 organizing arm, Henry said.

Wave of protest

Friday's planned labor action is just the latest in a wave of worker protests that has followed the coronavirus pandemic. Sanitation workers in Pittsburgh, bus drivers in Richmond, Virginia, and restaurant workers in California all have walked off the job to demand safer conditions.

Return to Work Resources for Employers

- View a list of the [return to work resources](#) we have developed to support employers' efforts in safely returning to work.
- Get more information on our [Return to Work – Stay in the Safe Zone](#) training program.
- Access our [workplace reopening checklist](#).



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RETURN TO WORK RESOURCES

Category	Work Product
Essential Business and/or Reopening Guidance	State and Local Orders, Ordinances, and Regulations Regarding Shelter in Place, Business Restrictions, and Business Reopening Chart <ul style="list-style-type: none">• We can also provide weekly updates
	We can also create customized charts of specific orders or just reopening orders. Examples: <ul style="list-style-type: none">• Requirements Regarding Temperature Screens and Symptom Screens• Requirements for PPE or Face Coverings
Workplace Screening, Social Distancing, PPE, and Sanitization Policies and Procedures	Social Distancing Policy Template, Customization Guidance, and Face Covering Policy Template
	Active Screening Protocol with Temperature/Symptom Screening Policy Template
	FAQs on COVID-19 Molecular and Serology Testing
	Infection Control Protocols for the Workplace <i>Policies and procedures can be customized for the company.</i>
Training	Webinar Training Program on Social Distancing and Safety Measures for Return to Work
Unions	Labor Management Return to Work Memorandum of Understanding Template

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Additional Resources

Find resources on how to cope with the post-pandemic reality on our [Now. Normal. Next page](#) and our [COVID-19 page](#) to help keep you on top of developments as they unfold.

[Subscribe to receive our Daily Digest of Coronavirus COVID-19 alerts >](#)

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