

**August 10, 2022**

**Contract & Strike Information!**

# Local 1000's Ability to Strike

**Local 1000** has the protected right to strike once an impasse is reached in contract negotiations between the Union and the State, per the Ralph C. Dills Act (Government Code §3517.8). Law firms Slote, Links & Boreman, LLP and Beeson, Tayler & Bodine have also stated that public sector unions in California have the right to go on strike.

## VOTING TO STRIKE IN 2009

In August 2009, our Union membership actually voted in favor of a strike authorization. Our current president unilaterally decided that a strike would not be effective during the furlough fiasco, a period when most of our state-represented employees were subjected to three furlough days per month from July 2009 to July 2010. This was after already enduring two days per month furlough beginning in February 2009.

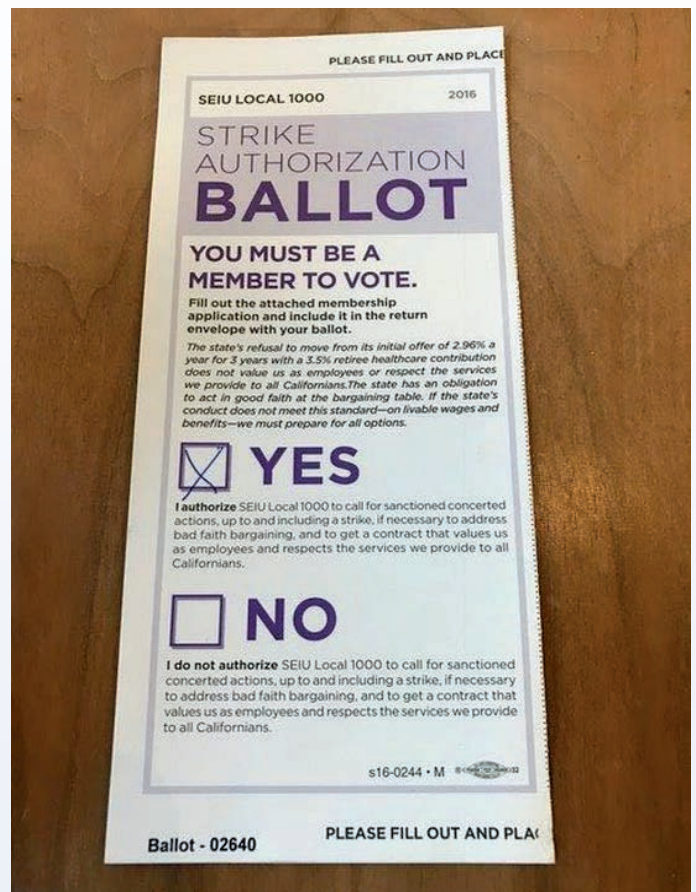
## VOTING TO STRIKE...AGAIN, IN 2016

**Local 1000** for a second time took a strike vote in November 2016. As a result, a one-day strike was called for December 5, 2016, but was canceled when the State contacted our Union for renewed contract discussions in the afternoon on December 2, 2016. In the early morning hours of December 3, 2016, our leadership reached a tentative agreement with the State.

## THE RIGHT TO STRIKE

The fact is simple: public sector unions can go on strike in California. However, despite authorizing and scheduling a strike, **Local 1000** has never followed through by actually going on strike for a serious length of time. **Local 1000** Union leadership lost the opportunity to demonstrate the power of the Union.

As your Union president, I will change that.



I, Richard Louis Brown, certify that this my official strike authorization ballot.

*Richard Louis Brown*



PLEASE FILL OUT AND PLACE IN REPLY ENVELOPE

SEIU LOCAL 1000

7/16-1/20

# CONTRACT RATIFICATION BALLOT

☐ **YES**

I approve the tentative  
agreement.

☒ **NO**

I reject the tentative  
agreement.

S16-0325 • M 

PLEASE FILL OUT AND PLACE IN REPLY ENVELOPE

SEIU LOCAL 1000

2020

# CONTRACT RATIFICATION BALLOT

☐ **YES**

I approve the tentative agreement.

☐ **NO**

I reject the tentative agreement.

SEIU LOCAL 1000

2016

# STRIKE AUTHORIZATION BALLOT

## YOU MUST BE A MEMBER TO VOTE.

Fill out the attached membership application and include it in the return envelope with your ballot.

*The state's refusal to move from its initial offer of 2.96% a year for 3 years with a 3.5% retiree healthcare contribution does not value us as employees or respect the services we provide to all Californians. The state has an obligation to act in good faith at the bargaining table. If the state's conduct does not meet this standard—on livable wages and benefits—we must prepare for all options.*



## YES

**I authorize** SEIU Local 1000 to call for sanctioned concerted actions, up to and including a strike, if necessary to address bad faith bargaining, and to get a contract that values us as employees and respects the services we provide to all Californians.



## NO

**I do not authorize** SEIU Local 1000 to call for sanctioned concerted actions, up to and including a strike, if necessary to address bad faith bargaining, and to get a contract that values us as employees and respects the services we provide to all Californians.

s16-0244 • M



**From:** SEIU Local 1000 <webmaster@seiu1000.org>  
**Sent:** Tuesday, November 29, 2016 12:23 PM  
**To:** Richard Brown <richard.brown7437@yahoo.com>  
**Subject:** Stand up to illegal intimidation

## Stand up to the state's illegal intimidation practices

The state's response to our Union's December 5th strike has been a uniform, statewide strategy of threatening employees with discipline for participation.

This is an illegal, unfair labor practice, and it further reinforces why we had no choice but to call this strike - the state wants to violate the law and do whatever it wants at the bargaining table and then take away our right to do something about it.

Your supervisors, on behalf of the state, are mis-stating the law. **A no-strike clause does NOT mean no strikes under any circumstances. Unions have the clear legal right to strike even with a no-strike clause when the state violates the law during bargaining in such a way that there is no grievance process that can remedy it.**

Unfair labor practice strikes have been legal for decades under a long line of state Public Employment Relations Board (PERB) cases despite the existence of a no-strike clause.

You can do something about this illegal intimidation. Stand strong with our Union, and stand up to the state's efforts to mislead you and violate their legal bargaining obligations without accountability.

In Solidarity,  
Yvonne R. Walker  
President  
Margarita Maldonado  
Vice President for Bargaining  
Tamekia N. Robinson  
Vice President for Organizing / Representation  
Theresa Taylor  
Vice President / Secretary-Treasurer

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Service Employees International Union, Local 1000  
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**From:** Yvonne R. Walker <webmaster@seiu1000.org>  
**To:** "richard.brown7437@yahoo.com" <richard.brown7437@yahoo.com>  
**Sent:** Tuesday, November 15, 2016 at 01:35:36 PM PST  
**Subject:** Strike authorized!

## **Strike Authorized!**

### **A message from President Yvonne R. Walker**

An overwhelming 92% majority of us voted YES to authorize any and all actions, up to and including a strike, in support of a contract we can all be proud of!

From Oct. 31 to Nov. 11 we voted at more than 200 locations across the state on strike authorization. Votes were counted today by our bargaining unit chairs and vice chairs to ensure all policies and procedures were followed correctly.

What does strike authorization mean for us?

It means we will continue to bargain in good faith. But, both sides have to bargain in good faith. When the state's conduct doesn't meet this standard, we will take whatever action necessary to hold them accountable, up to and including going on strike.

We return to the table today, Nov. 15 and Thursday, Nov. 17, with some additional dates scheduled later this month.

Our vote means that once again we have spoken up for ourselves, for our co-workers, for our families and our communities. We made our voices heard. Together, we told the state that we will take a stand for what is right.

Since we started this journey, we have kept our eyes on winning a contract we can all be proud of. A contract that respects our work and values the services we provide to all Californians. That hasn't changed.

However, the state has failed to budge from its opening proposal regarding wages for state workers with no explanation or justification.

The state has also failed to provide any response to the communicated concerns of our union regarding:

- The October 2016 CalHR report on gender pay inequities in state employment
- The state's unilateral approach to civil service reform
- The state's unilateral change during active bargaining in the required methodology for calculating health care cost-sharing, which will result in a shift of \$20 million in health care costs to state employees

Thousands of you told us—in town halls and in surveys—that the state's offer of 2.96% per year, with a 3.5% employee contribution to health care, is not enough to provide for our families, to afford our rent, to pay for childcare, or even to buy fresh groceries for our children.

A new CalHR report has highlighted the gender pay gap we face as state workers.

- Our union is predominately women (66%), yet we are paid 19% less than the average for all rank-and-file state employees
- The state has made deals with male-dominated bargaining units that include wages 43% higher than our average pay
- A staggering 39% of us cannot afford a two-bedroom apartment in the county we live in
- In most parts of the state, we cannot afford childcare

This is unacceptable. Now more than ever, California must be a beacon of good faith and equity. We provide valuable services to all Californians each day, and the state's 'take it or leave it' philosophy only serves to widen the gender pay gap for California families.

As we move forward, it's important that we continue to stand together to make our demand. Continue to take action in your worksite and stay in touch with your worksite action team leader.

Remember, this is our union. This is our contract. This is our future. And together we are Unstoppable.

In solidarity,

Yvonne R. Walker  
President, SEIU Local 1000

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**From:** "Yvonne R. Walker" <[webmaster@seiu1000.org](mailto:webmaster@seiu1000.org)>  
**Date:** November 22, 2016 at 5:06:31 PM PST  
**To:** Richard Brown <[richard.brown7437@yahoo.com](mailto:richard.brown7437@yahoo.com)>  
**Subject:** We're going on strike! Read a message from our President

We're striking against the state's unlawful conduct

A message from President Yvonne R. Walker

On Monday, December 5th, we will hold a one-day strike in protest of the state's unlawful conduct and egregious unfair labor practices during contract bargaining.

Since June, the state has had a "take it or leave it" approach and has engaged in unlawful conduct and bad faith bargaining. The state has inexplicably failed to budge from its opening proposal on salary and benefits and has even bargained regressively.

State negotiators have refused to respond when we confronted them with examples of their bad faith conduct at and away from the table. The state has also failed to provide any response to the communicated concerns of our union regarding:

- The October 2016 CalHR report on gender pay inequities in state employment
- The state's unilateral approach to civil service reform
- The state's unilateral change during bargaining in the method for calculating health care cost-sharing, which will result in a shift of \$20 million in health care costs to our members

The state has an illegal policy of threatening us with discipline for participating in protected activity, including our strike. We can expect that their threats will intensify and continue as we prepare for December 5<sup>th</sup>. Rest assured that we will fight back against any and all attempts to violate our rights or to threaten or intimidate our members.

Although we are not required to give the state notice, we did so today out of concern for our families and the communities we serve. The state has provided no explanation or justification for its unlawful conduct and it is our duty and responsibility to hold the state accountable.

Our goal has always been to bargain in good faith and win a contract we can all be proud of. Our goal remains the same. But we cannot sit idly by while the state engages in unfair labor practices, bad faith bargaining or threatening behavior.

First we voted. On December 5th we **STRIKE!**

I encourage you to contact your steward or worksite organizer to get more information and instructions. You can also get more info here [www.seiu1000.org/strikeFAQ](http://www.seiu1000.org/strikeFAQ) or call the Member Resource Center at 866.471.SEIU (7348).

We are in a moment that will test our courage and commitment to one another—as co-workers, as sisters and brothers in arms. By standing up for what's right, we can show our strength, power and solidarity.

*"Power concedes nothing without a demand. It never did and it never will. Find out just what any people will quietly submit to and you have found out the exact measure of injustice and wrong which will be imposed upon them."*

- Frederick Douglass

This is our union. This is our contract. This is our future. And together we are Unstoppable.

See you on the picket line.

In solidarity,

Yvonne R. Walker

President, SEIU Local 1000

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**From:** SEIU Local 1000 <[webmaster@seiu1000.org](mailto:webmaster@seiu1000.org)>  
**Date:** November 30, 2016 at 5:32:58 PM PST  
**To:** Richard Brown <[richard.brown7437@yahoo.com](mailto:richard.brown7437@yahoo.com)>  
**Subject: Cease and Desist Letter Against State Intimidation**

## Cease and Desist Letter Against State Intimidation

We're fighting back against the state's intimidation. [Click here](#) to read our demand for the state to cease and desist illegal threats.

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**From:** "Mankus, Jessica" <[jmankus@SEIU1000.org](mailto:jmankus@SEIU1000.org)>  
**Date:** December 2, 2016 at 1:24:07 PM PST  
**To:** Richard Brown <[richard.brown7437@yahoo.com](mailto:richard.brown7437@yahoo.com)>  
**Subject:** Updated FAQ's

Hi Richard,

I wanted to make sure you saw the updated FAQ's on the union's strike website – I think it has a more direct answer for the same questions that you've been dealing with at State Treasurer's:

<http://www.seiu1000.org/strike>

## *Frequently Asked Questions (FAQ) Regarding Strike*

### *Legality & Purpose of Strike*

*The state says that our strike is illegal and I can be disciplined. Is that correct?*

*The state's response to our Union's December 5th strike has been a uniform, statewide strategy of threatening employees with discipline for participation.*

*This is an illegal, unfair labor practice, and it further reinforces why we had no choice but to call this strike – the state wants to violate the law and do whatever it wants at the bargaining table and then take away our right to do something about it.*

*Your supervisors, on behalf of the state, are mis-stating the law. A no-strike clause does NOT mean no strikes under any circumstances. Unions have the clear legal right to strike even with a no-strike clause when the state violates the law during bargaining in such a way that there is no grievance process that can remedy it.*

*Unfair labor practice strikes have been legal for decades under a long line of state Public Employment Relations Board (PERB) cases despite the existence of a no-strike clause.*

*You can do something about this illegal intimidation. Stand strong with our Union, and stand up to the state's efforts to mislead you and violate their legal bargaining obligations without accountability.*

*Is it legal to go out on strike, even if we have a no-strike clause that is still in effect?*

*Yes. Unfair labor practice strikes have been legal for decades under state and federal law despite the existence of a no-strike clause. San Ramon Valley Unified School District (1984) PERB Order No. IR-46 at p. 10. The fact that the Union engaged in the strike in good*

*faith can serve as a defense to any charges of illegality. Clement v. City of Glendale 518 F.3d 1090, 1097 (9th Cir. 2008).*

### *Why are we going out on strike?*

*The members of SEIU Local 1000 are going on strike because the State has committed an unfair labor practice by bargaining in bad faith. The State has done this by:*

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- 1. Taking an illegal take-it-or-leave-it approach to bargaining;*
  - 2. Refusing to consider in good faith union economic proposals which would address gender pay inequities;*
  - 3. Unilaterally changing the method for calculating health care cost sharing in such a way that will shift of \$20 million in health care costs to state employees next year;*
  - 4. Unilaterally planning civil service reform without bargaining with the Union;*
  - 5. Making regressive bargaining threats to pressure us to take their first economic offer*
  - 6. Illegally threatening state workers with discipline if they attempt to engage in protected strike or picket line activity.*
- 

*(and then further down the page...)*

### *Manager Retaliation & Discipline Issues*

#### **Will I be disciplined for participating in the strike?**

The State may take retaliatory disciplinary actions against members who go on strike. But these actions are illegal. There are legal appeals and anti-retaliation laws to hold the State accountable. The Union has a Strike Legal Defense Team that will defend you.

Thanks,  
Jessica Mankus  
SEIU Local 1000  
URC Representative  
Phone: 866-471-SEIU  
Fax: 916-554-1349

[jmankus@seiu1000.org](mailto:jmankus@seiu1000.org)

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**From:** "Yvonne R. Walker" <[webmaster@seiu1000.org](mailto:webmaster@seiu1000.org)>  
**Date:** December 2, 2016 at 2:31:30 PM PST  
**To:** Richard Brown <[richard.brown7437@yahoo.com](mailto:richard.brown7437@yahoo.com)>  
**Subject:** **Strike is OFF!**

## **Strike is OFF! We created a pathway forward**

After weeks of preparing for a strike, we have been in conversations with the state, and we both feel we have found a pathway forward. Therefore we have withdrawn our notice to strike and will continue bargaining today.

Our goal has never been to go on strike. It has always been to get a contract we can all be proud of.

We will provide constant updates throughout the day and into the night, if necessary. Stay tuned.

In solidarity,

Yvonne R. Walker  
President

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