

SAN JOSE RIGHT TO STRIKE FAQ

JULY 2026

Q: What is a strike?

A: A strike is when we collectively withhold our labor. A strike is a last resort, but it is our most powerful tool. There are different forms of strikes: economic strikes, Unfair Labor Practice (ULP) strikes, sympathy strikes, limited duration strikes, indefinite strikes, rolling or rotating strikes, and selective or targeted strikes.

Q: How do we authorize a strike? Who determines if we go on strike? What type of strike will we do?

A: Union members do. Each Union will hold a vote of its members. A supermajority is required to give the bargaining team the authority to call a strike if one becomes necessary. If that authorization is granted, the bargaining team will determine the type of strike, when it occurs, where it takes place, and how long it lasts.

Q: Why are both Union bargaining teams recommending that we begin the process to prepare for a strike vote and possible strike?

A: The Union bargaining teams remain committed to reaching a fair agreement that members can ratify. At the same time, because preparing for a strike takes significant time and planning, we must be ready for every possible outcome.

Q: Is striking legal? Am I protected if I go on strike?

A: Yes. Public employees have the legal right to strike, with only extremely rare exceptions (SEE BACK).

Q: Will I still get paid by the City? Can I use my PTO, vacation, or sick leave?

A: No and no. You are not paid by the City to strike and may not use any form of paid leave when on strike. Employees who are already on approved leave or have unique circumstances should contact their Union representative for guidance before the strike begins.

Q: What steps are being taken prior to taking a strike vote?

1. Continue to advocate at the bargaining table to reach our core goals
2. The Union bargaining teams are asking everyone to sign the Strike Commitment form
3. Make sure that you are receiving all union communications

Q: If we authorize a strike, will we walk out right away?

A: No. A strike requires significant preparation. In addition to organizing our coworkers, we're reaching out to community allies and other supporters to ensure our success. A strike is timed strategically to maximize our impact. **Union** members will receive plenty of advance notice.

Q: How many of us would need to strike for it to be effective?

A: A large, active picket line is vital to a successful strike. All staff need to participate—whether members of the Union or not—to prevent the City from operating as usual. Participating in the picket is also the best way to get the latest information on how the strike is going and to show the community that we are here for them. Many members of the community would join us on the picket line because they support our core demands of investing in vital City services.

Q: Will I be paid by the Union for going on strike?

A: Going on strike is a financial sacrifice, and members should prepare accordingly. If members authorize a strike, everyone is expected to report to the picket line each day and not report to work for the duration of the strike. Any additional information about strike logistics will be communicated before a strike begins.



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Q: What would happen if I crossed the picket line and didn't strike?

A: Unless you have been issued a line pass by your Union or are enjoined from striking, **never cross a picket line.** Crossing a picket line seriously undermines our power and ability to achieve our goals. It also erodes the camaraderie in the workplace, prolongs the strike, and negatively impacts our efforts to work as a team once a strike is settled.

Q: What if I'm told by someone from the City that I'm not "allowed" to strike?

A: City workers have the right to strike. While sometimes public employers ask PERB to stop some workers from striking, citing public safety reasons, the Unions will work through the appropriate legal process to ensure that as many workers are able to exercise their rights as possible. Do not rely on instructions from management alone. Before the strike, the Unions will contact you directly if you are required to report to work.

Q: Will we lose health benefits while striking?

A: No. AB 237 mandates that the City must maintain health benefits for employees who participate in a strike.

Q: Can I work from home?

A: No. Do not work from home. That counts as crossing the picket line and prolongs our strike.

Q: Can I bring friends, family, and kids?

A: Yes. Please do - and bring your instruments!

Q: How will I know if a strike has been called? Where do I report if we strike?

The Unions will communicate directly with members through email, text messages, and other official channels. Before the strike begins, the Unions will provide picket locations, schedules, and instructions. Members should report to their assigned picket location unless directed otherwise.

Q: What can I do to support the campaign further?

A: We need even more Member Action Team members. **Sign up and participate in our weekly organizing meetings:** <https://bit.ly/sjmat2026>



Q: What if I can't afford to go on strike?

A: It is important that we all think ahead and prepare our personal finances in the event of a strike. All our financial and family situations are different. As such, the strain caused by the loss of income during a strike will also be different. This is an investment in our future and will pay dividends long after the strike has ended.

Q: Can we be disciplined for participating in a strike?

A: No. Striking is your protected legal right. This is true for full-time, probationary, part-time, retiree-rehires, and temporary employees alike. You should feel empowered to participate without fear of retaliation or discipline. The Unions have and will continue to vigorously defend workers experiencing retaliation due to participation in legally protected strikes and other union activity.

Sign the Commitment Form Today!

