

# Minnesota Mechanical Contractors Association

## PICKET LINE CHECKLIST

### INTRODUCTION

Minnesota law prohibits certain conduct by striking employees. Such conduct may constitute a crime, and may also be the basis for the company to obtain an injunction against the union. The following is a summary of what is prohibited by Minnesota law.

1. Interfering with the operation of a vehicle, if neither the driver nor the owner are parties to the strike. (Example: Obstructing a non-striking employee who is driving his personal car into the parking lot).
2. Interfering with the free use of public roads.
3. Obstructing entrances and exits at the facility and its parking lots.
4. Threatening or actually committing acts of violence to non-striking employees and their property.

### EXAMPLES

The following is a list of examples of conduct that may violate one or more of these prohibitions.

- Throwing objects at non-strikers or their vehicles.
- Rocking vehicles as they attempt to pass through picket lines.
- Vandalizing vehicles belonging to non-striking employees.
- Physically blocking roads or plant entrances through the use of vehicles, barricades, or picketers.
- Placing materials on roads or at plant entrances that will damage the vehicles as they enter.
- Threatening and following non-strikers home as they leave the company's premises.
- Threatening non-striking employees or their families with harm.

This conduct should be carefully distinguished from the following, which is **not** illegal:

- Simply requesting that someone voluntarily honor the picket line.

- Normal delays at facility entrances caused by the legal requirement that individuals stop before crossing the picket line.

## **RESPONSE**

- The company's ability to effectively respond to illegal conduct will be enhanced if you take the following steps:
- Any significant incident should be immediately reported to local law enforcement officials, so that they may respond. This should be the initial response to *any* serious incident.
- Videotaped documentation should be made of the incident. Any videotape should attempt to reflect:
  - The exact location of the incident
  - The identity of the individuals involved
  - The presence of picket signs and the exact wording on them
  - The presence and identity of possible union officials during the incident.

When videotape is used, it should reflect the date and time of the incident. Written documentation should be maintained establishing who filmed the incident. Under Minnesota law, either the photographing employee, or the individual being videotaped, must be on the facility premises or property before such videotaping may occur.

- Physical evidence should be obtained and preserved where possible. Samples of “tire spikers,” broken glass, and the like should be kept, with documentation establishing who retrieved it, when and where.
- Copies of damage estimates and reports to police should be maintained.
- A log of every incident should be maintained, reflecting the following:
  - ✓ The time of the incident
  - ✓ Its location
  - ✓ The identity of picketers, if known, and the identity of persons committing the illegal acts
  - ✓ The identity of possible union officials present
  - ✓ The wording on any picket signs
  - ✓ The nature of the incident, reflecting exactly what happened
  - ✓ The company's response
  - ✓ The response of any union official to request to halt the illegal conduct

# INCIDENT REPORT

## Improper Activities

Area observed \_\_\_\_\_ Date \_\_\_\_\_

Location \_\_\_\_\_ Time \_\_\_\_\_

1. Describe improper activity (Be specific including what led up to incident and what followed):

2. Names of those involved (strikers and non-strikers); if vehicle involved, get license number:

3. Number of picket signs and what they say:

4. Location of pickets (give detail where they walk to and from):

5. Names of any union officers present (describe their involvement):

6. Names of witnesses (strikers and non-strikers):

7. Was incident filmed? By whom?

8. COMMENTS:

Observer's name \_\_\_\_\_

# Strike Activity Log

Facility \_\_\_\_\_ Report of: \_\_\_\_\_ Date \_\_\_\_\_

Time of Incident	
Location of Incident	
Identity of Picketers (If Known) Identity of Persons Committing Illegal Acts	
Identity of Possible Union Officials Present	
Wording of Picket Signs	
Nature of Incident (Exactly What Happened)	
Company's Response	
Response of Union Official Requested to Halt the Illegal Conduct	