

**MOBILE PICKETING UPDATE 2011**  
*CWA District One Legal Department*

Ever since the '89 strike, mobile picketing has been one of our most effective strike tactics. However, when following trucks and picketing work away from company buildings, certain legal guidelines must be followed:

1. **REFRAIN FROM THREATS:** Following struck work and picketing is protected activity under the National Labor Relations Act. However, you may not threaten, harass or attempt to coerce scabs into not performing the work. This prohibition applies when following the trucks as well as when picketing. You may not tailgate, attempt to push a company vehicle off the road, or have several cars follow a single truck.

2. **PICKETING ON PRIVATE PROPERTY:** Due to state private property laws, we do not have a clearly defined right to picket struck work on private property. You have a legal right to picket where Verizon has a presence: in front of a private home where an installation or repair is taking place, a Verizon pole where scabs are doing work, a Verizon truck, etc. However, if this picketing brings you onto private property and you are asked to leave by the owner, security, or the police, show them our mobile picketing letter and try to convince them that you have a right to stay and picket. Ask them to call the CWA Legal Department. But, if you can't convince them and are told to leave, leave. It is not worth getting arrested and legally we may not be in a very strong position. If there is a public space near the work, picket there.

3. **NON-THREATENING PICKETING:** When you do picket the work, do not behave in a menacing manner. If a manager or contractor is doing work, 3-5 techs are enough. Do not use threatening language. Do not say things like, "we are going to get you," or "we know where you live." You can call the scab a scab. You can tell the scab that by working, he or she is hurting you financially. You can tell a scab what our bargaining demands are. You can chant CWA slogans and chants. But do not ever use racial, ethnic, or gender-related slurs or slurs about sexual preference. Members who

have engaged in mobile picketing report that simple picketing and non-threatening chants are very effective.

4. APPEAL TO THE PUBLIC: Part of the task when engaging in mobile picketing is bringing our issues to the public. We want the public to sympathize with us—not see us as a bunch of “union goons.” Be aware of the public and the Union’s image when mobile picketing, and conduct yourself accordingly.

Bottom line, we know that strikes are difficult times and emotions can run high. But remember the goal is to win, not to vent. Mobile picketing is a highly effective and useful strategy, let’s keep it that way.