

**Cobb County Police Department**

**Policy 4.09**

**STRIKES AND LABOR DISPUTES**

<b>Effective Date:</b> May 1, 2016
<b>Rescinds:</b> Policy 4.07 “Strikes and Labor Disputes” (January 12, 2013)
<b>Related Orders:</b> None
<b>Issued By:</b> Chief J.R. Houser <span style="float: right;"><b>Page 1 of 3</b></span>
The words “he, his, him,” which may appear in this policy, are used generically for clarity and ease of reading. These terms are not meant to imply gender and relate to all employees of the Department.

It is the purpose of this policy to define the proper role of this agency in dealing with labor disputes and to provide guidance to protect the rights of both labor and management.

**I. POLICY**

Officers assigned to strikes and labor disputes shall deal fairly and impartially with the parties involved, and with reasonable consideration of the emotional environment involved in these events.

**II. PROCEDURES**

**A. Command Authority**

1. Operational control of officers assigned to a labor strike is the responsibility of the Chief of Police or his designee.
2. The supervisor in charge of the strike detail should contact the company and labor unions involved in order to:
  - a. Inform them that the Department is aware of the strike (or impending strike) and advise them of Departmental policy relating to the enforcement of law and protection of personal and corporate rights.
  - b. Emphasize the importance of a peaceful demonstration, and that the rights of labor to legally assemble and protest will not be interfered with so long as it does not interfere with the legal rights of the company to transact business.
  - c. State the Department’s position on warning and arresting demonstrators and the need to maintain communication at all times between police personnel and strike leaders.

3. In determining manpower and equipment needs, the supervisor should consider:
  - a. The number of picketers, their attitude, and organization.
  - b. The number of non-strikers, anti-strikers, and bystanders.
  - c. Whether the striking company will attempt to stay open and whether non-striking employees will attempt to enter the premises.
  - d. The cooperation of all parties involved in the strike.

**B. Duties and Responsibilities of Assigned Personnel**

1. Officers assigned to labor strikes should ensure that the statutory and constitutional rights of all parties involved are not interfered with.
2. Officers must be mindful that certain individuals may attempt to engage the officer in a debate, or elicit sympathy for their cause. To help avoid this officers should:
  - a. Refrain from unnecessary contact/conversation with picketers, management personnel, or bystanders. Any necessary contact/conversations shall remain professional.
  - b. Avoid entering company property except to conduct necessary police business. The facilities or services of labor or management should not be used unless absolutely necessary.
3. Arrests for minor law violations should be kept to a minimum, and efforts should be made to control such conduct through conversation with picket captains, union representatives, or management personnel.
4. Persons committing unlawful acts of a substantive nature, or those who persist in committing unlawful acts in the presence of an officer, shall be subject to arrest. Decisions on making arrests should include:
  - a. The availability of adequate numbers of suitably equipped officers to provide backup.
  - b. The seriousness of the offense relative to the potential negative effects it may have as an incitement to violence or other unlawful behavior.
  - c. Verbal abuse against officers, unaccompanied by threats, should not be the sole reason for arrest.

5. Officers should attempt to confirm any reported unlawful acts committed by picketers which were not done in the presence of the officer. Picket captains or management representatives should be warned that any recurrence of such acts may result in arrest.
6. Consumption of alcohol by involved parties or bystanders should be discouraged.

**C. Operation of Picket Lines**

1. Strikers have the right to peacefully assemble, picket, bring attention to their cause, and persuade others to honor their picket line. However, they do not have the right to intimidate non-strikers, impede business, or violate the law.
2. The employer has a right to keep the business open and operational, free from undue interference, intimidation, damage, or destruction. Non-striking employees, customers, and members of the public have the right to enter or leave the site of the strike.
3. Officers will assist vehicle and pedestrian traffic in the crossing of picket lines as necessary. Officers should advise persons attempting to cross hostile, or potentially hostile, picket lines of the possible danger involved.
4. Attempts by either labor or management personnel to prevent the free exercise of these rights will first be brought to the attention of the appropriate strike captain or a management supervisor. Continued violations may warrant police intervention, up to and including arrests for applicable violations of law.