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Senate Republican Leader Proposes Statewide Ban on Public Transit Strikes

Recent BART Strike Shows Public Safety, Economic Risks

San Francisco - Calling it an essential public service that must be protected, Senate Republican Leader Bob Huff (R-Diamond Bar) said today that it is time for the California Legislature to prohibit strikes against public transit systems in California. Senator Huff proposed the idea during an interview with Ronn Owens on KGO radio in San Francisco.

"If we're going to make the people of California reliant on public transit systems, then we also have an obligation to make sure those systems can be relied on," said Huff. "Shutting down public transit is neither safe nor fair," said Huff. "Police officers and fire fighters aren't allowed to strike because they provide a vital public service. The same reason applies here. Public transit is a vital public service and it's too important to be used as a bargaining chip against the needs of the people."

Senator Huff originally amended a bill (Senate Bill 423) in September as a response to the pending Bay Area Rapid Transit (BART) strike. The amendments compelled BART employees to honor the no-strike clause in their contracts. Senator Huff called on the Governor and legislators to act on his bill to prevent a BART strike, but that call fell on deaf ears. They ignored it and BART employee unions went on strike a second time, disrupting the lives of hundreds of thousands of people. According to the Bay Area Council, the strike cost the Bay Area approximately \$70 million each day, and an accompanying survey found that 70 percent of residents opposed a strike, and 92 percent believed a strike would have significant economic impact. SB423 is being amended again for the purpose of outlawing strikes by all public transit employees in California.

"There are approximately 400 public transit agencies in California serving 1.35 billion riders each year and when union contracts are up, threats of strikes increase dramatically," said Huff. "Workers for the two largest transit systems in California - San Francisco and Los Angeles - have combined to strike nine times since 1976. Management is just as responsible for creating these situations, and enough is enough."

SB423 as amended:

1. Prohibits public transit employees from striking or instigating a strike.
2. A public transit employee that violates the no-strike law is subject to removal or other disciplinary action by the agency.
3. Provides a fair violation determination process to employees charged with striking.
4. If it is determined an employee broke the no-strike law, twice the daily rate of pay shall be

- deducted from an employee's compensation per each day an employee breaks the law.
5. Provides violation determination by the Public Employment Relations Board (PERB).
 6. If PERB determines a violation occurred, the board shall forfeit the rights of the recognized employee organization for an indefinite period of time.
 7. After three years of forfeiture, an employee organization may seek reinstatement by the Legislature.

What the bill does not allow:

1. No transit employee may be fired without due process.
2. No transit employee may have his or her compensation docked for unlawful activity without due process.
3. Immediate supervisors of represented employees shall not have power in determining whether employees may strike.

The California Senate will consider SB 423 when the Legislature reconvenes in January of 2014.

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Senator Huff serves as the Senate Republican Leader and represents the 29th Senate District covering portions of Los Angeles, Orange and San Bernardino Counties.

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