

## **02 Striker - Overview**

Policy and procedures regarding Strikers are outlined as follows:

- [CA Striker](#)
- [NA Striker](#)

(See [Strike\(g\)](#))

### **A CA Striker - Overview**

Policy and procedures for CA Strikers are outlined as follows:

- [CA Striker Participants](#)
- [CA Participants Not Considered Strikers](#)
- [CA Striker Eligibility](#)

#### **.01 CA Striker Participants**

Consider a participant to be a striker when they actually refuse to provide services to their employer.

The following are guidelines that establish that a participant is a striker:

- Employees are suspended from employment but would be allowed to work when not striking.
- Employees are participating in a strike. The employee is considered a striker regardless of whether they voted for the strike.

When a union is decertified, an employee on strike continues to be considered a striker.

#### **.02 CA Participants Not Considered Strikers**

The following CA participants are not considered strikers, and are potentially eligible for CA, when any of the following occur:

- An employer closes or shuts down the work place to resist employee demands, unless they were striking prior to the lockout or shutdown. Obtain verification.
- The striker's employment is terminated by the employer, even when strike pay is being received. The employee's termination notice serves as verification.
- An employee is not a participant in the bargaining unit on strike

and does not want to cross a picket line due to fear of personal injury. Verify the threats of violence through union personnel, company officials, newspaper reports, etc.

- A local, state, or federal government employee participates in a strike against the government. The employee is considered to have voluntarily quit their job. (See [Voluntary Quit](#))
- An employee is unemployed or unable to work solely as a result of others who are on strike. Obtain verification.

### **.03 CA Striker Eligibility**

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CA benefits are budgeted using the higher of the following:

- The voluntary striker's pre-strike average monthly income
- The union strike pay provided to the striker during the strike period

### **B NA Striker - Overview**

Policy and procedures for NA Strikers are outlined as follows:

- [NA Striker Participants](#)
- [NA Participants Not Considered Strikers](#)
- [NA Striker Eligibility](#)
- [NA Pre-strike Eligibility](#)

### **.01 NA Striker Participants**

A participant is a striker when they meet any of the following:

- Is involved in a strike or other planned stoppage of work by employees, including stoppage because of expiration of a collective bargaining agreement
- Is involved in a planned slowdown or planned interruption of operations by employees
- Is suspended from employment, but who would be allowed to work when not striking
- Is on strike, and was exempt from work registration on the day before the strike, only because the participant was currently employed

- Is participating in a strike or is a member of the striking union, even when they did not vote to strike

More than one employed participant may have been exempt from work registration due to employment. When one participant could have been exempt due to the care of a child or disabled participant the day before the strike, the following apply:

- Do not consider the participant who works for the company involved in the strike as a striker when the participant claims to have been responsible for the dependent's care.
- When another participant in the budgetary unit was responsible for the dependent's care, consider the participant not involved in the care as a striker.

Receipt of [Unemployment Insurance \(UI\)](#) does not necessarily affect a participant's striker status.

## **.02 NA Participants Not Considered Strikers**

The following employees are not considered strikers:

- Employees whose work place is closed by an employer to resist demands of employees, unless the participant was striking prior to the lockout or shutdown.
- Employees unable to work because of striking employees.
- Employees who are not part of the bargaining unit on strike, and who do not want to cross a picket line due to fear of personal injury or death.

The claim must be verified by evidence that there have been threats of violence. Verification sources include, but are not limited to, the following:

- Police reports
- Company officials
- Union officials
- Newspaper accounts
- Employees fired or resigned from the striking company.

- A government employee who participates in a strike against their federal, state, or local government employer and is dismissed from the job is considered to have voluntarily quit the job without good cause. (See [Voluntary Quit](#) and [VQ/RWE Good Cause](#))

### **.03 NA Striker Eligibility**

Cases with participants who are on strike are eligible to participate in the NA program only when they meet both of the following:

- They met the financial and non-financial eligibility factors on the day before the strike.
- They meet all non-financial eligibility factors at the time of application. To determine financial eligibility, see [NA Pre-strike Eligibility](#).

When an NA participant reports that a participant in their budgetary unit is participating in a strike, do not increase benefits due to the decrease in income.

### **.04 NA Pre-strike Eligibility**

To determine pre-strike eligibility, consider all eligibility factors on the day before the strike. Complete the following to determine the amount of income to budget:

- Compare the striking participant's income before the strike to their current income.
- Compare the temporary strike-related union payments to the pre-strike average monthly earnings. Add the higher amount to the budgetary unit's combined income for the current benefit month.
- Key the deductions on EXNS based on the current budget month or the month of a new application.
- Allow the earned income deduction for the striker's earnings, whether the striker's pre-strike or temporary strike related income is used.

Strikers who are eligible to participate are subject to work registration requirements, unless exempt the day of the application.

Budgetary units with a striking participant that do not meet pre-strike eligibility are not eligible for NA benefits. Key the PS Denial Closure Reason Code on FSED.