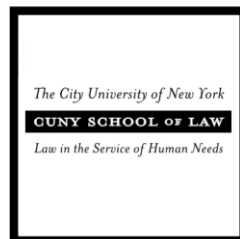


**Challenging the Taylor Act**  
Recommendations for Public Employees



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## Introduction

A fundamental difference in the regulation of workers in the public and private sectors is that a public worker is, in the end, “**a civil servant**”. They are funded by the taxpayer, employed by the state, and working on behalf of ‘the people’. With that comes ‘expectations of efficiency’, and an understanding of enhanced job security. A private sector worker may have great societal value, but they are, in the end, exchanging their labor for a wage/salary/benefit from an employer motivated purely by profit then taxed to fund the government and social services. To that end, the workforce of our country has been separated into distinct legal frameworks to regulate labor law rights: the National Labor Relations Act (NLRA) for much of the private sector and distinct state labor boards for the public sector.

**U.S. national union density is approximately >10% of all wage and salary workers**, with significantly higher unionization in the public sector (~33%) and much lower levels in the private sector (~6%), according to the *U.S. Bureau of Labor Statistics*. New York State is highly unionized compared to the rest of the country because its public sector unionization is extremely high (around **63%** density), while its private sector is relatively low (10-11%), making the public workforce the main reason the state remains one of the most union-dense in the United States (NY-23%). The national average is >10% of the combined public/private total. The public sector unionized workforce in New York State organizes and bargains under highly restrictive laws for public sector unions (Manzo & Bruno, 2025).

**The Public Employees Fair Employment Act**, (Article 14 of the New York Civil Service Law), also known hereafter as “**the Taylor Law**”, is New York’s central public sector labor statute enacted in 1967 following major strikes in the transit system that paralyzed NYC. It grants public employees the right to organize, bargain collectively, and elect representatives under Civil Service Law § 202 while strictly prohibiting strikes under § 210. Section 210 authorizes penalties for illegal work stoppages, including loss of two days’ pay for each day struck (§ 210(2)(g)), suspension of union dues checkoff, fines, and potential imprisonment of union officials for contempt of court. The law also establishes the governor-appointed New York State Public Employment Relations Board, hereafter “**the PERB**” under Civil Service Law § 205 to administer labor relations, oversee representation, and conduct dispute resolution through mediation, fact-finding, and in some cases, binding arbitration under §§ 209–209-a, depending on the bargaining unit (Donovan 1990).

## Background Context

The Taylor Law penalties are considered among the harshest public-sector strike sanctions in the United States because New York completely prohibits strikes by public employees rather than regulating them. Courts consistently hold that under the Public Employees' Fair Employment Act, public employee strikes are strictly illegal under Civil Service Law § 210, and violations trigger mandatory and cumulative financial penalties, allow courts to issue injunctions and enforce contempt sanctions, including jail time, and permit unions to be held organizationally liable through heavy fines and loss of dues checkoff privileges<sup>1</sup> *see Buffalo Tchrs. Fed'n, Inc. v. Helsby*, 676 F.2d 28, 31–32 (2d Cir. 1982).

Although designed to ensure “**orderly and uninterrupted government services**,” the Taylor Law has been repeatedly tested through major strikes involving unions such as the United Federation of Teachers and Transport Workers Union, with enforcement actions including fines, injunctions, and imprisonment of union leaders such as TWU President Roger Toussaint following the **2005 Transit Strike**<sup>2</sup>. Courts have regularly upheld enforcement of § 210 penalties, reinforcing the statute’s strict anti-strike framework. At the same time, the law continues to be debated for balancing protected collective bargaining rights under Article 14 with significant restrictions on economic leverage, particularly in comparison to private-sector labor law principles, *see* Margaret L. Egan, *The Taylor Law: A Legislative History* (Cornell Univ. N.Y. State Sch. of Indus. & Lab. Rels. 1982). Egan emphasizes that the Taylor Law’s ban on public employee strikes was a deliberate legislative response to disruptions in essential public services, especially in New York City transit.

New York’s public sector labor system developed alongside the growth of large government employment and major unions such as **District Council 37, Transport Workers Union, United Federation of Teachers, New York State United Teachers, Civil Service Employees Association (CSEA), Professional Staff Congress, Teamsters Local 237 & Local 831, Public Employees Federation**, firefighter unions such as **International Association of Firefighters (UFA-IAFF)**, corrections unions like **New York State Correctional Officers**, and powerful police unions like the **New York City Police Benevolent Association (PBA)**. Early

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<sup>1</sup> “Loss of dues checkoff privileges” means a union temporarily loses the legal ability to have union dues automatically deducted from employees’ paychecks by the employer.

In 2005, Transport Workers Union Local 100 accepted a 37-month MTA contract offer on December 27, but members rejected it by 7 votes (11,234–11,227) on January 20, 2006, later approving it three months afterward even after it was retracted. The dispute was part of only the third transit strike against the MTA, following the 1966 12-day strike and the 1980 11-day strike, and the 2005 strike during the peak holiday week caused an estimated \$80 million in economic losses. On April 10, 2006, President Roger Toussaint was sentenced to 10 days in jail, and one week later the union was fined \$2.5 million and lost automatic dues checkoff for 1 year.

public labor law, shaped by federal limits like the *Lloyd–La Follette Act*<sup>3</sup> and major events such as the 1919 Boston Police Strike, treated government workers differently from private-sector labor, emphasizing uninterrupted public services and civil service protections rather than strikes. As unionization expanded through groups like the **American Federation of State, County, and Municipal Employees (AFSCME)** and the **Congress of Industrial Organizations (CIO)**, New York state politicians responded to growing labor militancy, including the 1966 transit strike, by enacting the Public Employees' Fair Employment Act in 1967. The Taylor Law created a tradeoff: it granted collective bargaining rights, union recognition, and dues deduction while banning strikes and imposing severe penalties, replacing them with mandatory mediation, fact-finding, and interest arbitration. It also established the **New York State Public Employment Relations Board** to administer labor relations statewide, while New York City operates its own system through the *New York City Office of Collective Bargaining*. Today, New York maintains one of the highest public-sector unionization rates in the country (<64%), reflecting a system that balances a strong union presence with strict limits on strike activity to ensure continuous government services. (Lefkowitz, *Public Sector Labor and Employment Law in New York*, 2020 Ed.)

New York's Taylor Law has faced major legal and political challenges primarily over its prohibition on public employee strikes and its balance between union rights and government authority. (Freeman 2000)

Section 210 of the law makes strikes by public employees illegal and imposes penalties, including loss of two days' pay for every strike day, union fines, and suspension of dues checkoff privileges. Courts have generally upheld these provisions against constitutional attack, particularly after major labor actions such as the 1980 and 2005 New York City transit strikes. In *Transport Workers Union, Local 100 v. New York City Transit Authority*, 99 N.Y.2d 1 (2002), the New York Court of Appeals reaffirmed the state's broad authority to regulate public sector labor relations. *Burke v. Metropolitan Transportation Authority (S.D.N.Y. 2009)* was a federal district court case in which public employees challenged the constitutionality of New York's Taylor Law, which restricts public-sector strikes. The court upheld the statute, reaffirming the state's broad authority to regulate labor relations for public employees.

The long running pro-labor legal challenges have been centered on speech/association limitations, strike prohibition, and the overly harsh penalties for alleged violations. There have been federal constitutional attacks on PERB jurisdiction under the preemption of the NLRA. These have so far been defeated. Courts have generally upheld New York's Taylor Law against First Amendment, due process, equal protection, and state constitutional challenges, reasoning that its restrictions on public employee strikes regulate conduct rather than protected speech.

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<sup>3</sup> The Lloyd–La Follette Act of 1912 protects federal employees' right to communicate with Congress and petition for redress without agency interference. It also limits restrictions on federal employees' speech and collective complaints about working conditions.

They have also found that the state’s interest in maintaining uninterrupted essential public services justifies the strike ban and related penalties. This is a well-established national legal consensus to date. (Egan 1982; Freeman 2000).

More recently from the anti-union conservative movement, post-*Janus v. AFSCME*, 585 U.S. 878 (2018), plaintiffs challenged aspects of the Taylor Law on First Amendment grounds, arguing that exclusive union representation violated free association rights, but federal courts largely rejected those claims in cases such as *Goldstein v. Professional Staff Congress/CUNY*, 2024 WL 1203682 (2d Cir. 2024). Another major challenge has centered on the Taylor Law’s “Triborough Amendment,” which requires employers to **continue the terms of an expired collective bargaining agreement until a successor agreement is reached**. Labor organizations argue this provision is essential because public employees cannot legally strike, while right wing critics contend it unfairly strengthens unions and weakens municipal bargaining leverage. The New York Court of Appeals strongly reinforced Triborough protections in *Matter of City of Long Beach v. Civil Service Employees Assn.*, 8 N.Y.3d 465 (2007), holding that certain contractual benefits must continue after contract expiration. Ongoing criticism of the Taylor Law has also focused on claims of uneven enforcement, excessive penalties, and delays in collective bargaining, making it one of the most contested public sector labor frameworks in the United States, (Egan 1982).

## **Rule**

Under New York’s Taylor Law, a **“strike” is any concerted stoppage of work, slowdown, sickout, or other concerted interruption** of public employment by public employees intended to induce, influence, or coerce a change in employment conditions or rights. See N.Y. Civ. Serv. Law § 201(9).

A strike includes **concerted activity that interferes with public services**, not just a formal walkout. See N.Y. Civ. Serv. Law § 201(9) (McKinney 2025); *N.Y. State Pub. Emps. Fed’n v. City of Albany*, 72 N.Y.2d 96 (1988).

Unlawful strike findings require **proof of coordinated action**, not just reduced performance or disruption. (*Matter of Board of Educ. v. Associated Teachers of Huntington*, 30 N.Y.2d 122, 331 N.Y.S.2d 17, 282 N.E.2d 109 (1972))

## **Penalties**

**For individual public employees**, § 210(2)(g) imposes the “two-for-one” penalty, requiring forfeiture of two days’ pay for every one day of strike participation, with participation often presumed if an employee is absent during a declared strike. Employees may also face disciplinary consequences such as suspension or termination, and if a court issues an injunction

ordering an end to the strike, violation of that order can result in additional contempt proceedings, which may include fines or incarceration.

**For labor organizations**, § 210(3)(f) authorizes PERB and the courts to impose organizational sanctions, including substantial monetary fines, the suspension or revocation of dues checkoff (ending automatic payroll deduction of union dues), and other remedial orders designed to restore lawful bargaining conditions. These fines are not fixed by statute but are **discretionary** and typically scaled based on the size of the union, duration of the strike, and harm to public services, with courts in major cases imposing very large daily penalties.

Courts retain **independent contempt authority**, which can be applied to both unions and union officers. When a court issues an injunction ordering an end to an illegal strike, failure to comply can result in civil or criminal contempt sanctions, including additional fines and jail time for union leaders. This is the primary legal mechanism through which incarceration occurs, as the Taylor Law itself does not directly prescribe jail sentences but instead relies on judicial enforcement powers. Overall, the enforcement structure is designed as a layered deterrent system:

- strong personal financial penalties for workers (two-for-one)
- organizational financial penalties for unions
- loss of payroll-based union funding mechanisms
- judicial contempt powers to enforce compliance that can result in incarceration for short terms for union leaders.

Building on earlier strike-condoning doctrine, PERB continues to apply rules that unions may be penalized if they “**encourage or condone**” unlawful strikes, including suspension of dues checkoff. Recent decisions reaffirm that passive tolerance can be treated as organizational liability under § 210(3)(f). The combined effect is to ensure that disputes in essential public services are resolved through mediation, fact-finding, or arbitration rather than economic disruption through strikes or slowdowns. This has not stopped the majority of public sector unions from violating the Taylor Law.

### **Test Cases**

**TEACHERS (2026 Salary- \$85,000–\$105,000 after 5 years**, with a master’s degree and additional credits/depending on subject matter) (before OT/Fringe). Most teachers are on 10-month schedules, though many choose 12-month pay distribution (summers off). Tenure<sup>4</sup> in NYC public schools

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<sup>4</sup> In NYC public schools, tenure means a teacher gains permanent employment protection, making it much harder to be fired without just cause. Tenure is granted under New York State Education Law § 3012-c / § 3012-d. Once tenured, a teacher can only be dismissed after a formal hearing process showing incompetence, misconduct, or other “just cause.”

is job protection granted after about **3 years**, requiring due process before a teacher can be fired. 30-year pension.

New York State has had several major teachers' strikes, although they are rare because public school employees are subject to strict strike prohibitions under the Public Employees' Fair Employment Act, which makes strikes by public employees illegal. One of the most significant was the **1968 New York City teachers' 36-day strike**, led by the *United Federation of Teachers*, which shut down schools for multiple days during a major conflict over school governance and community control in Ocean Hill–Brownsville. The strike resulted in the jailing of union leaders, and it became one of the most important early tests of public-sector labor rights in New York. Another major strike occurred in **1975 strike**, when New York City teachers again walked out for 5 days over issues including class size and working conditions, further reinforcing the legal tension between collective bargaining rights and the Taylor Law's prohibition on strikes. (*Bd. of Educ. v. Shanker*, 57 Misc. 2d at 521). Although the strike was aimed at securing better conditions and a fair contract, the UFT's demands were met with deep resistance from the newly formed *Emergency Financial Control Board*, which rejected a negotiated raise for teachers. This rejection contributed to a decline in teachers' salaries relative to other regions, affecting their compensation for years to come. Since the full implementation of the Taylor Law framework, additional smaller or localized job actions and work-to-rule disputes have occurred, but large-scale formal strikes by public school teachers have been extremely limited due to the law's penalties, which include fines, loss of pay, and potential contempt sanctions.

Today, UFT, and NYSUT engage in a mixed strategy that combines collective bargaining and legal enforcement with **substantial political lobbying** and public advocacy, reflecting the constraints placed on public-sector unions under New York labor law. Teaching remains one of the most secure jobs in the public service.

**FIREFIGHTERS (2026 Salary \$105,146 after 5 ½ years) (before OT/Fringe), 20-year pension.**

The FDNY's only widely recognized strike occurred on November 6, 1973, when most of the city's approximately **10,900 firefighters walked off duty for about five and a half hours** during a labor dispute with the city administration under Mayor John V. Lindsay. The strike followed failed negotiations over wages and contract terms, including a proposed \$2,000 base pay increase, and firefighters voted overwhelmingly to strike after talks broke down, marking the first and only major work stoppage in FDNY history. During the strike, firefighters picketed firehouses while multiple fires burned across the city, with civilian volunteers and ad hoc crews attempting to respond in place of official FDNY units. The walkout ended quickly after federal intervention and renewed negotiations, and it led to a strong political and contractual backlash, including commitments that firefighters would not strike again under the modern labor framework governed by the Public Employees' Fair Employment Act. Slowdown findings

require clear evidence of union-directed or concerted conduct, see Matter of City of New York (Uniformed Fire Officers Ass'n), 7 PERB ¶ 3036.

Today, the UFA-IAFF's core function is negotiating contracts over wages, staffing, safety, and benefits through formal collective bargaining. In the years since 9/11, the FDNY union UFA has capitalized on **tremendous public sympathy**. When negotiations reach an impasse, disputes are typically resolved through mediation or arbitration rather than strikes, as required under Civil Service Law § 209 and § 210 frameworks. The Uniformed Firefighters Association IAFF Local 94 and the International Association of Fire Fighters primarily rely on collective bargaining, political influence, public safety messaging, arbitration, and legal enforcement rather than strikes, which are prohibited under the Public Employees' Fair Employment Act. Their main tactics include negotiating contracts, lobbying City Hall and the City Council, mobilizing members during elections, using media campaigns centered on staffing and safety, enforcing contracts through grievances and arbitration, and **building coalitions with other municipal unions** (usually Uniformed Services NYPD, DSNY, and Corrections) to increase political leverage.

**POLICE (2026 Salary \$121,589 after 5 ½ years) (before OT/Fringe) 20–22-year pensions.**

There have been no formally adjudicated “blue flu” strikes by the New York City Police Department (NYPD), but New York has experienced several widely discussed slowdown or work-to-rule episodes involving police enforcement behavior. The most frequently cited early example is the **1971 NYPD Work Stoppage**, in which officers refused routine patrol duties while continuing to respond to emergencies, leading to a sharp reduction in visible policing across the city. Although not legally classified as a strike, this conduct falls within the definition of prohibited labor activity under the Taylor Law, which treats slowdowns and coordinated refusals to perform duties at normal levels as unlawful strike activity under Civil Service Law § 210. The 1971 NYPD “blue flu” work stoppage lasted five days and involved about 20,000 officers refusing regular patrol duties while still responding to emergencies, leaving only a small fraction of the force on the streets. Although no major unrest occurred, participating officers were later fined about \$417 each for violating Taylor Law (**\$3,135** in 2023 dollars).

A more modern example often described in labor and media analysis is the **2014 NYPD enforcement slowdown** during political conflict with City Hall, where arrests and low-level enforcement actions (such as summonses and parking tickets) reportedly declined significantly over several weeks. While this period was widely characterized as a “blue flu” or informal work slowdown, no formal finding of an illegal strike was issued, largely because **proving coordinated intent** is difficult and enforcement activity is typically addressed through internal discipline rather than PERB proceedings. Under the Taylor Law framework, such conduct remains legally risky but is rarely adjudicated as a formal strike due to evidentiary and

procedural constraints. See Clare Sestanovich, *A Short History of Police Protest*, The Marshall Project (Jan. 6, 2015).

Today, The Patrolmen's Benevolent Association primarily uses collective bargaining, political lobbying, aggressive public messaging, media campaigns, litigation, and **informal work-to-rule pressure to increase leverage** in negotiations under the Public Employees' Fair Employment Act. Because strikes are illegal, modern PBA tactics focus on electoral influence, public safety narratives, endorsement power, legal challenges, grievance arbitration, and at times highly visible **enforcement slowdowns or reduced discretionary policing activity** that critics describe as “blue flu” or work-to-rule tactics. Periodically, as a high-profile protest action outside any comment by their union, the NYPD will refuse to make non-felony arrests or write tickets which in turn translates to decreased city revenue.

**SANITATION (2026 Salary \$92,093** after 5½ years) (before OT/Fringe). For most current NYC sanitation workers in traditional uniformed plans, the “classic DSNY pension” is still effectively a 20–22-year retirement system, but newer Tier 6 members face longer age-based retirement requirements. City Hall legislation has recently aimed to bring all Sanitation pensions back to 20 years.

The **New York City Department of Sanitation (DSNY)** has had a long history of labor tensions under the Public Employees' Fair Employment Act, particularly involving “slowdowns” or coordinated reductions in work speed rather than formal strikes. Because the Taylor Law strictly prohibits public employee strikes and treats any intentional work stoppage or slowdown as an illegal strike under Civil Service Law § 210, DSNY job actions have typically been informal and legally risky forms of protest. One of the most notable periods occurred during the **1968–1969 labor unrest era**, when sanitation workers engaged in slowdown tactics over wages and working conditions, prompting city enforcement actions and threats of penalties under the law’s two-for-one pay forfeiture rule and potential union sanctions. **The DSNY went on Strike for 9 days in 1968.** The strike is widely documented in municipal labor histories as part of the crisis that directly influenced the enactment of the Public Employees' Fair Employment Act in 1967–1968 implementation context, see Uniformed Sanitationmen’s Ass’n, *Local 831 v. Lindsay*, 385 U.S. 850 (1966); see also Joshua B. Freeman, *Working-Class New York: Life and Labor Since World War II* (2000).

Over time, DSNY labor disputes have generally avoided formal strikes but have occasionally included **allegations of illegal slowdown activity**, especially during contract negotiations or disputes over workload, staffing, and safety conditions. Under the Taylor Law framework, such actions can trigger findings of improper labor practice by the New York State PERB, as well as fines, loss of dues checkoff, and disciplinary consequences for employees if the slowdown is proven to be concerted and intentional. However, compared to transit or education strikes, DSNY labor conflicts have more often been resolved through negotiation and mediation

rather than large-scale enforcement actions, in part because both the city and unions seek to avoid triggering the severe statutory penalties associated with formal strike violations.

The last widely recognized large-scale DSNY slowdown occurred during the mid-to-late 1970s contract dispute period, particularly around the 1975–1977 municipal fiscal crisis era in New York City. During that time, **sanitation workers engaged in coordinated work slowdowns and reduced productivity** amid disputes over wages, staffing, and city budget constraints following the city’s fiscal crisis. While not always formally labeled a “strike,” these actions were treated as illegal job actions under the Public Employees' Fair Employment Act because the law defines slowdowns and partial stoppages as strike activity under Civil Service Law § 210. In *City of New York v. De Lury*, the New York Court of Appeals upheld the Taylor Law’s anti-strike provisions against constitutional challenge. 23 N.Y.2d 175, 242 N.E.2d 704, 295 N.Y.S.2d 901 (1968). The most well-known DSNY slowdown allegation occurred during the **2010 blizzard response controversy**, where the city investigated claims that sanitation workers deliberately slowed operations. The official investigation found no conclusive evidence of an intentional slowdown, attributing delays to operational and weather-related factors rather than coordinated labor action.

Today, the Teamsters Local 831 primarily uses collective bargaining, political lobbying, legislative advocacy, media campaigns, arbitration, and contract enforcement to secure wages, working conditions, and pension protections under the Public Employees' Fair Employment Act. Because strikes are prohibited, a major modern tactic is pushing city and state legislation to protect or improve pensions and retirement benefits, alongside political influence, public messaging, and grievance procedures rather than formal work stoppages. They benefit from massive numbers in both the private and public sectors, as well as the Teamsters' general ideology of strike readiness/ strike credibility.

**TRANSIT** (2026 Salary **mid-\$60,000 to mid-\$80,000** range in base pay, depends on title) (before OT/Fringe). NYC transit pension eligibility generally allows older tiers to retire as early as age 55 with required years of service, while Tier 6 members typically must wait until age 63, though some transit titles still permit retirement after about 25 years of service depending on classification.

The Transport Workers Union Local 100 has led **three major NYC transit strikes**: a 12-day strike in 1966; an 11-day strike in 1980 during the fiscal crisis; and a 3-day strike in 2005.

NYC transit strikes have shaped public-sector labor history. The 1966 strike ended in a major union victory and boosted further public employee strikes (along with the imprisonment and death shortly after of TWU President Mike Quill and passage of the Taylor Law), while the 1980 TWU strike during the fiscal crisis also won higher raises than offered but ended early without amnesty, leading to fines and worker frustration. Since the 1970s fiscal crisis, however, public-sector strikes in New York have become rare, with only two transit strikes occurring

afterward, Marc Kagan, *The 2005 New York City Transit Strike: A Lasting Scar*, Jacobin (Dec. 2025).

The **2005 New York City transit strike**, led by Transport Workers Union Local 100, was a **three-day walkout from December 20–22 involving roughly 32,000 to 34,000 transit workers** after negotiations with the Metropolitan Transportation Authority collapsed over wages, pensions, and retirement benefits. The strike shut down subway and bus service across the city, leaving millions of commuters stranded during a peak holiday period and causing **estimated claims ranging from \$80 million to \$1 billion in greater NYC economic losses**. See Regional Plan Association, *Impacts of the 2005 NYC Transit Strike* (2006); see also Andrew J. Sorkin, *N.Y. Transit Strike Halts City and Costs Millions*, *New York Times* (Dec. 2005). It was the third major transit strike in NYC history, following earlier walkouts in 1966 and 1980. After the strike ended, union members initially rejected and later narrowly approved a new contract, while legal consequences followed: TWU Local 100 was fined **\$2.5 million**, dues checkoff was suspended for a year, and union president Roger Toussaint was sentenced to **jail for 10 days** for violating the Taylor Law. (*TWU Local 100*, 35 A.D.3d at 73). Gains included: The agreement included no pension changes, annual raises of 3%, 4%, and 3.5% over three years, a 1.5% salary contribution toward health care costs, Martin Luther King Jr. Day as a paid holiday, and refunds of some prior pension contributions to workers. The 2005 transit strike was effective in the short term because it shut down the subway and bus system, created major economic disruption, and forced immediate attention to contract disputes. Beginning in June 2006, the Taylor law penalties were deducted from striking workers' checks. Withholding of the Union checkoff was withheld until early 2007. The TWU agrees to pay over \$300,000 a month towards strike-related penalties. Overall, polling found the majority of New Yorkers were by the end of the strike not sympathetic to the objectives of the union. In NYC transit, dissidents argued that failure came from leadership in the 1980 strike rather than militant action, promising a better outcome in the future, but **the 2005 strike ended even worse materially and psychologically**. As a result, many workers concluded “public sector strikes were unwinnable”, and the 2005 strike has since been used as a cautionary example against militancy in NYC municipal unions.

Today, Transport Workers Union Local 100 is still a large, active NYC transit union representing about 41,000 workers and many retirees, currently operating as a strong bargaining organization that uses contract negotiations, political advocacy, lobbying, and grievance procedures rather than strikes to represent members.

**CORRECTIONS** (2026 Salary **\$80,000–\$105,000** by the 5–7-year range in base pay) (higher rates for NYC than upstate DOC) (before OT/Fringe). Pensions are 20-22 years, new legislation seeks to reduce them to 20.

The **1979 New York prison guards' strike** (April 18–May 5) involved nearly all state correctional officers and prompted Governor Hugh Carey to deploy the New York National Guard to operate prisons. It was one of the largest challenges to the Taylor Law's ban on public

employee strikes and led to major enforcement actions, including fines. Like the 1968 New York City teachers' strike, this strike was a significant challenge to New York's Taylor Law, which bars public employees from striking and imposes fines. The 1979 Strike from a bargaining perspective was viewed as an “objective failure”, see Andrew A. Peterson, *Deterring Strikes by Public Employees: New York's Two-for-One Salary Penalty and the 1979 Prison Guard Strike* (unpublished manuscript).

The **2025 New York State corrections officers' wildcat strike** involved approximately 12,000 officers employed by the Department of Corrections and Community Supervision who **walked off duty in protest over working conditions** and opposition to restrictions on solitary confinement. The strike was not authorized by their union, the New York State Correctional Officers and Police Benevolent Association, and was illegal under the Taylor Law's ban on public employee strikes. The work stoppage led Governor Kathy Hochul to deploy the National Guard to maintain prison operations, with facilities placed under lockdown conditions. During the disruption, nine incarcerated individuals died, with reports attributing some deaths to delayed medical care. After failed negotiations and a revised state offer, most officers returned to work, but roughly **2,000** who refused were terminated, highlighting the continued strict enforcement of strike prohibitions under the Taylor Law. Three of thirty NYS prisons are to be shut down in 2026, guard work hours will be reduced to 12 then 8 hours.

The 2025 wildcat strike had mixed results in the short term but is generally viewed as only partially effective and very costly in the long term (in that around **15%** of the guards were fired). It succeeded in forcing immediate operational disruption across state prisons, prompting the deployment of the National Guard, emergency policy changes (including suspension of parts of the HALT Act), and quick bargaining concessions from the state on staffing, overtime, and **pay raising the guards salary by \$9,000**. However, under the Taylor Law, it was illegal, and the aftermath included mass firings of roughly 2,000 officers, loss of benefits, arrests or contempt exposure for some participants, and ongoing staffing instability in the corrections system. Overall, while the strike achieved some short-term concessions, it resulted in severe legal and employment consequences and did not produce durable structural gains for many participants.

**FDNY EMS (2026 EMT Salary \$59,543** after 5 years) (before OT/Fringe) 25-year pensions. Note that they can promote to firefighter before age 29 (and then earn **\$105K** after five more years), or promote to paramedic and earn (after 5 more years) **\$75,872**

Modern municipal EMS in New York developed from the city's hospital ambulance services in the 1960s–1970s. EMTs and paramedics gradually organized into unions seeking higher wages, safer staffing, and civil service protections. On March 4<sup>th</sup>, 1988, the NYC EMS staged a **massive unsanctioned sick out**. The majority of 2,000 EMS workers called in sick. 47 provisional EMS were fired and 58 more heavily disciplined. All but 19 were eventually rehired in the coming months. Mayor Koch threatened to suspend dues check off but did not end up

doing so. The primary catalyst for the work-stoppage was pay parity with police and firefighters, which at the time was 33% lower (22k compared to 33K).

HHC-based NYC EMS was merged in the FDNY in 1996. While there had been isolated instances of blue-flu in the pre-FDNY era, the modern 30-year history of FDNY EMS has no known instances of strike threat or coordinated absenteeism. The DC 37 Locals which represent FDNY EMS and officers (**Local 2507 and 3621**) do not favor or utilize mass mobilization. They have carried one protest in over a decade. Their tactics are generally limited to gaining public sympathy via the media and strategic litigation. Uniformed EMTs, Paramedics & Fire Inspectors FDNY Local 2507 is currently involved in lawsuits over EMS pay parity and discrimination, promotion practices, public records access, and FDNY hiring policies affecting EMT positions. See *Barzilay v. City of New York*, No. 1:20-cv-04452 (S.D.N.Y. filed 2020) (successful suit for FDNY retaliation on members speaking out on COVID-19), see also *Local 2507, Uniformed EMTs, Paramedics & Fire Inspectors v. City of N.Y.*, No. 22 Civ. 10336 (S.D.N.Y. 2024) class action discrimination suit still open.

During the Blizzard of 2026, a historic Category 3 “major” blizzard that struck the Northeast from February 22–24, 2026; New York City’s emergency services faced extreme conditions with **455 FDNY EMS members on a sick-out**. This mass absence significantly reduced the city’s 911 ambulance capacity, straining the emergency medical system during one of the most severe winter storms in decades. Investigation ruled out that it was not a concerted activity. Today, in 2026, they are four years without contact and still the lowest paid first responders in New York City. Their unions projects that approximately 1,500 of 4,000 EMS workers will resign before 2027. >35% of 911 calls are handled by hospital-based and private sector ambulance workers.

### **Tactics in Chief**

The essential element to implementing aggressive Taylor Law challenges is circumventing evidentiary and procedural constraints of prosecution, i.e. preventing a PERB finding of **PROOF OF COORDINATED INTENT**. In lay language, there must be layered **plausible deniability** on the level of union leadership that the workers of a specific union sought to break state labor law in a coordinated manner. The sanctions for willful violation of the Taylor Laws should not be underestimated; fines on workers/union, imprisonment of union leaders, and suspension of dues check-off. They are in fact crippling to a union and dangerous to the livelihood of the individual public sector workers. Therefore, the following methods are recommended:

### **Modulation of Credible Threat**

Power at the bargaining table is directly related to the credible threat a union can make in **economic disruption & public safety/convivence** amplified many times by the degree of **public**

**sympathy** a union can generate. This formulation of power should also be gauged by the degree of actual **political sympathy** that can be brought to bear by varying forms of lobbying. Will anyone make actual laws to protect your workers?

Some trades, such as teachers, enjoy an almost intrinsic level of public sympathy (in proximity to so many children of the public). They enjoy deep political sympathy as well as their numerical weight as dependable votes on the left. The same can be said about firefighters on the right. Some professions such the police have only a little public sympathy but can leverage lobbying and voting. Or trade on a narrative of public safety (police and fire). Some like Corrections and Transit lacking much of the above can leverage the **massive cost of economic disruption** (transit) or **public safety** (corrections).

The **modulation of credible threat** is a level of organization and discipline. It is a level of readiness to ratchet the brinksmanship around the threat up or down before and during contract negotiation. It is a deep level organization of the workers, as well as dedicated spending on the experts, lobbyists, marketing/communications to achieve the broadcasting of it. If strike power is legally neutralized under the Taylor Law, it must be restored by a commitment to the tactics below. Not just advocacy or organizing; achieving a level of strength to ensure that the state actor on the other side of the table is aware of your union as a great deal of tools in the tactical tool kit that can be brought to bear before the bargaining begins. Modulation, literally means the ability of the union to ratchet up or down tactics and **maintain a credible threat doctrine** that the union is capable of every action, including strike footing as a last resort. Time is not on the side of the working class, and the asymmetry of state as employer, is certainly more formidable than the private sector.

**Doubleur:** Using a strategic partnership to create plausible deniability around rhetoric and work stoppage plans with coordinated intent. The Local is basically partnering with an entity of any incorporated status, besides another union which could then be accused of a secondary activity itself; and using the doubled entity to coordinate the job actions. This is akin to having the unions soccer team planning a sick out. Or having a social-movement organization ratchet up rhetoric which the union in bargaining or dispute can deny. The digital age makes it all the more possible to engage in this. These relationships must be cultivated and the stranger the bedfellow the better.

**Short Duration Violations:** Unions engage in short “**wildcat**” or **limited strikes** to test how quickly courts impose penalties under Civil Service Law § 210. *In re Roger Toussaint* (2006 contempt proceedings). This includes sick out (blue flu), short-duration strike pickets, and “work-to-code”, “work-to-rule” slow-down actions, and coordinated absenteeism. What makes the strike “wildcat” is that it was not directly organized by the union, or that is the claim. Wildcat strikes are not protected in the same way impasse driven economic or unfair labor practice strikes are. Workers' jobs are highly vulnerable.

As these methods are fundamentally illegal, prohibited under the law of New York State, they must be coordinated by ‘clubs’, ‘associations’, and ‘working groups’ in the form of cells and not be linked to the union hierarchy. These cells, separate from the official union leadership and its delegate/stewards, must be capable of modulating a job action to the signals sent by a leadership that must regularly and completely disavow them. Not all workforces are capable of maintaining the secrecy and discretion needed to carry this out. Note that it is the tactic in chief of police unions. Informal work-to-rule pressure to increase leverage must maintain a large clandestine network and rely on deep partnerships and off-work social circles. Short-duration violations must be calibrated to both the bargaining table and public opinion.

No one wants a strike. Especially a protracted one. Especially in industries that can cause massive societal disruption. The problem at the heart of the Taylor Act is that by not allowing lawful strike with notice and regulation (such as in private sector); the law pushes public unions to job actions that are meaningfully more disruptive in some cases outright dangerous. Private sectors strikes have rules and notice allows temp workers to replace strikers; public sector strikes have long periods of low simmering service disruption. The national guard cannot stop-gap all types of trades; but were called in repeatedly for the corrections strikes.

**Public-Private Sector Cooperation:** Unions argue that public employees are treated more harshly than private-sector workers under federal labor law, especially compared to the National Labor Relations. It is advisable to seek a private-public framework inside one union (such as what exists with the Teamsters), or a durable public-private industrial coalition (NYSUT, AFT, UFT). There are relatively few unions that directly represent both public and private sector workers in the same national structure, but several major labor organizations do so through mixed affiliates or separate bargaining divisions. These unions are “mixed-sector” because they **organize by industry or occupation rather than strictly by public vs. private employment**, allowing them to operate across both sectors while still bargaining separately for each group under different legal regimes (the NLRA for private workers and state public employment laws like the Taylor Law for public workers in New York).

The United Federation of Teachers, New York State United Teachers, and American Federation of Teachers are structurally affiliated unions that often work together on political advocacy, lobbying, and education policy in New York, coordinating efforts on issues such as school funding, salaries, class size, and legislative priorities; the UFT functions as a local affiliate within both NYSUT and AFT, allowing these organizations to act in alignment on statewide and national education campaigns even while maintaining separate bargaining responsibilities. The benefit of a mixed-sector union and or durable coalition around an industry is that the private sector has more freedom of action, and the public sector has more overall job security. So, a union, or an industry-wide union-coalition that has both groups from one industry, allows a level of coordination that prevents one sector from being used to scab the other.

**Local Laws & Lobbying** This is predominantly about having your **local politicians sympathetic** enough to legislate some of your bargaining objectives; such safety issues, pension ages, and sector wage minimums. This can be done with conventional lobbyists paired with **worker constituent advocates** that help personalize a story and tie the issue to votes in the community. A Labor union that has not invested in voter turnout capability or has financial capability to big league lobby (527 Funds + paid lobbyists + campaign contribution capability), can still very much budget to marshal engagement. In general, that means per diem or work release of workers/ delegates to meet politicians and staffers around workforce issues and develop lasting relationships. In essence **cultivating a champion** for your local, and or having your members organized enough to eventually develop a voting bloc. There are only three parts to this that matter to a politician; votes, money to fund the next campaign, and the public sympathy that could be potential votes tied to publicly validated trade.

**Civil Litigation:** This mode of opposition is about **impact litigation in the work force**. It is modeled on civil rights struggle of strategically bringing employment and labor law claims to leverage at the bargaining table. It was about bringing civil claims on employers. It is also about weaponizing PERB hearings, OSHA complaints, Title VII, and FLSA claims to raise legal costs for the agency you are negotiating with. They cannot be completely frivolous, so workers and delegates need to identify what is actionable. When public employees make statements pursuant to their official duties, they are not speaking as citizens for First Amendment purposes, and their communications are not always protected from employer discipline. See *Garcetti v. Ceballos*, (2006). But this is not fully settled law; public employees are not without an independent voice on matters of public concern. Under the **Pickering–Connick test**, a public employee’s speech is protected by the First Amendment only when the employee speaks as a citizen on a matter of public concern and the employee’s interest in the speech outweighs the government employer’s interest in efficient public operations and workplace discipline, see *Pickering v. Bd. of Educ.*, 391 U.S. 563 (1968), also see *Connick v. Myers*, 461 U.S. 138 (1983). *Garcetti v. Ceballos*, 547 U.S. 410 (2006) added a threshold requirement to the existing Pickering–Connick framework: Whether the employee spoke pursuant to official duties. Recently in *Barzilay v. City of New York* FDNY EMS workers alleged the City and FDNY retaliated against EMTs and paramedics for speaking to the media during the COVID-19 pandemic about PPE shortages, staffing, and emergency conditions. The plaintiffs claimed violations of the First Amendment and Due Process Clause. *Barzilay v. City of N.Y.*, No. 20-CV-4452 (S.D.N.Y. filed June 10, 2020); the city settled the free speech claims, paying each plaintiff \$29,999 and agreeing to expunge disciplinary allegations tied to media communications during the pandemic. Local 2507 also has a pending class action claim related to race and gender discrimination in the FDNY, see *Local 2507, Uniformed EMTs, Paramedics & Fire Inspectors v. City of New York*, No. 22-CV-10336 (S.D.N.Y. filed Dec. 7, 2022).

**State Constitutional Amendments:** The no-strike rule for public employees as a strongly established constitutional and policy ground in New York. Proposals to amend the New

York Constitution or statutory framework to **expand collective bargaining or strike protections**. New York courts treat the Taylor Act as a valid statutory framework, and any expansion of strike rights requires legislative or constitutional change, not judicial reinterpretation. This challenge is rooted in comprehensive campaigns with a heavy focus on public goodwill and political action. *City of New York v. De Lury*, 23 N.Y.2d 175 (1968), which upheld the Taylor Law’s no-strike provisions against constitutional attack, including due process and equal protection arguments. Courts have repeatedly upheld the Taylor Law against constitutional challenges and rejected claims that the prohibition on public employee strikes unlawfully infringes constitutional rights. *Goldstein v. Professional Staff Congress/CUNY*, No. 23-384 (2d Cir. Mar. 18, 2024). The Second Circuit upheld dismissal of constitutional challenges to the Taylor Law framework, reaffirming that New York may regulate public-sector labor relations, including exclusive representation and related restrictions, without violating the First Amendment. *Burke v. Metropolitan Transportation Authority (S.D.N.Y. 2009)* was a federal district court case in which public employees challenged the constitutionality of New York’s Taylor Law, which restricts public-sector strikes. The court upheld the statute, reaffirming the state’s broad authority to regulate labor relations for public employees. The most effective challenges are most likely rooted in the amendment of the state constitution or the act itself. A lobbying effort of that magnitude would need a very large war chest and a broad union coalition; and still most politicians would be very hesitant to give public sector unions strike powers back.

**NLRA/PERB Jurisdictional Challenges:** PERB has limited private-sector jurisdiction under the 2010 **State Employment Relations Act (SERA)**, but almost all private-sector labor cases go before the NLRB, not PERB<sup>5</sup>. Federal preemption still controls unless the employer or employees fall outside NLRA coverage. See *San Diego Building Trades Council v. Garmon*, 359 U.S. 236 (1959) (states generally may not regulate conduct arguably protected or prohibited by the NLRA). Disputes over whether public-sector labor issues should fall under federal labor law (NLRA) or New York’s PERB system, or whether the PERB can hear private-sector cases. A union may represent both private and public sector workers, but labor/work law rights, bargaining authority, and enforcement are determined separately under the NLRA for private employees and state law (such as the Taylor Law and PERB) for public employees. Recently, the Teamsters have challenged under *San Diego Bldg. Trades Council v. Garmon*, 359 U.S. 236 (1959), a landmark U.S. Supreme Court decision establishing the doctrine of federal preemption in labor law. *Teamsters Local 2010 v. Regents of Univ. of Cal.*, 40 Cal. App. 5th 659 (2019), also see *Nat’l Lab. Rels. Bd. v. State of Cal.*, No. 2:24-cv-07039 (C.D. Cal. filed Aug. 16, 2024). The Court held that when an activity is “arguably” protected or prohibited by the National Labor Relations Act (NLRA), state and local regulation must yield to the jurisdiction of the National Labor Relations Board (NLRB). In *Patrolmen’s Benevolent Association of the City of New York*

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<sup>5</sup> Under New York’s State Employment Relations Act (SERA), the New York State Public Employment Relations Board may hear certain private-sector labor matters, including cases involving employers or employees not covered by the National Labor Relations Act, agricultural labor disputes under the Farm Laborers’ Fair Labor Practices Act, representation petitions, and unfair labor practice charges arising under SERA.

*Inc. v. City of New York*, the court upheld amendments to the Public Employees' Fair Employment Act against a preemption and home rule challenge, holding that the statute addressed a substantial state concern in public-sector labor relations and therefore did not require compliance with local home rule procedural limitations. The decision reaffirmed that statewide regulation of public employee labor relations, including strike restrictions and bargaining rules, falls within the state's authority and is not displaced by local governance claims. The legal tensions here are not just between state and federal jurisdiction and what is the appropriate labor board to adjudicate the issue; it is also about the tepid speed any of these boards can redress claims.

## CONCLUSION

Time is not on the side of the working class; drawn out disputes sap energy. All people supporting children and paying mortgages/ or/ rent are **risk adverse**. A public sector job is usually a secure job. The tradeoff is that the conventional ability to withhold labor (strike) is taken away. The most legally appropriate actions are for unions to develop lobbying capability that merge professional lobbying with grassroots campaigning; shifting from an advocacy model to a deep organizing model that incentivizes **actual worker participation**. Most unions of scale successfully do this in some form. This is not a Taylor law challenge per se, until it actually is mobilized to amend/repeal the Taylor Act. As there is highly unfeasible (finding the political will to let public workers strike) there was shift to constitutional attack and changing jurisdiction to more favorable ones. That has largely failed. The idea of credible threat, or any unleashed concerted activity, is that it must be modulated to the realities of the bargaining table. It is formulaic to wait for impasse this must be in a total state of readiness long before. The strike is not a zero-sum game. The willingness to be build up to a strike capability (in varying forms) must be weighed on the merits. In virtually all cases cited above; public sector unions struck; they struck hard. They struck repeatedly. They used sick-outs, used to work to code, and used to slow down to leverage their lack of legally permitted strike. In all cases cited above, apart from the 2005 Transit Strike, these risks in the end lead to gains for workers. The Corrections Strike greatly overreached (strikers stayed too long) and it cost many jobs; but the remaining guards got raises, shorter shifts, and the state suspended the legislation that initially triggered the strike.

The clearest winners: **the Police, the Firefighters, Teachers, and Sanitation**. The Police effectively have used blue flu, work to rule, and the public safety reality their absence potentially creates. Sanitation used to strike and now prefers the slow down. The firefighters enjoy a unique and iconic position and enjoy great sympathy. The teachers struck; now largely rely on political engagement. Those that struck recently had limited to no public sympathy; Transit and Corrections. The lowest paid, the youngest service EMS (who has had limited to no job actions/ investing almost totally in litigation) is making approximately 47% less in pay and benefits from a firefighter or police officer.

The most effective challengers to the Taylor Law were not just those with the organizational level to carry out a strike. They had also cultivated **strong public support** and **possessed lobbying ability** to channel that support into laws and power. They possessed the organizational capacity via their officers/stewards/ delegates to mobilize long before contract time. To maintain readiness and engagement. It is not how hard a union can strike or the threat that a union can do so. Or with vast economic costs that can be imposed by strike action. In the end there are three factors that matter the most (they must exist long prior to consideration of strike/ job action): **deep organizing** of the work force, a strategy to **mobilize public support**, and the apparatus of **legislation and lobbying** to turn that into favorable conditions for bargaining. In the end, a union must be able to layer these things and deploy them with precision.

## References

Donovan, Ronald. *Administering the Taylor Law: Public Employee Relations in New York*. Cornell University Press, 1990.

Egan, Margaret L. *The Taylor Law: A Legislative History*. New York State School of Industrial and Labor Relations, Cornell University, 1982.

Lefkowitz, Jeffrey S. *Public Sector Labor and Employment Law in New York*. Multiple editions, LexisNexis/Matthew Bender (latest ed. 2020s).

Manzo, Frank IV, and Robert Bruno. *The State of the Unions 2025: A Profile of Organized Labor in New York City, New York State, and the United States*. CUNY School of Labor and Urban Studies / Project for Middle Class Renewal, 2025.

Joshua B. Freeman, *Working-Class New York: Life and Labor Since World War II* (2000).

N.Y. Civ. Serv. Law § 210 (McKinney) (strike prohibitions and penalties under Taylor Law).

New York State Public Employment Relations Board. *Guides, Decisions, and Policy Bulletins under the Taylor Law*. Albany, NY: PERB, ongoing publication.

Clare Sestanovich, *A Short History of Police Protest*, The Marshall Project (Jan. 6, 2015), The Marshall Project.

## Case Review

- *Barzilai v. City of New York*, No. 1:20-cv-04452 (S.D.N.Y. filed 2020)
- *Board of Education of the City School District of the City of New York v. Shanker*, 54 Misc. 2d 941, 283 N.Y.S.2d 548 (Sup. Ct. Kings Cnty, 1967).
- *Burns Jackson v. Lindner*, 59 N.Y.2d 314 (1983)
- *Buffalo Teachers Federation, Inc. v. Helsby*, 435 F. Supp. 1098 (W.D.N.Y. 1977)
- *Buffalo Teachers Federation v. Helsby*, 46 N.Y.2d 635 (1979)

- *Burke v. Metro. Transp. Auth.*, No. 09 Civ. 3291 (JGK), 2009 WL 4409739 (S.D.N.Y. Nov. 24, 2009).
- *Connick v. Myers*, 461 U.S. 138 (1983)
- *City of New York v. De Lury*, 23 N.Y.2d 175 (1968)
- *Matter of City of Long Beach v. Civil Service Employees Assn.*, 8 N.Y.3d 465 (2007), h
- *Goldstein v. Professional Staff Congress/CUNY*, 2024 WL 1203682 (2d Cir. 2024).
- *N.Y. State Pub. Emps. Fed'n v. City of Albany*, 72 N.Y.2d 96 (1988).
- *New York City Transit Authority v. New York State Public Employment Relations Board*, 306 A.D.2d 525 (N.Y. App. Div. 2003)
- *MTA Bus Co. v. Transport Workers Union of America, Local 100*, 889 N.Y.S.2d 582 (N.Y. Sup. Ct. 2006)
- *Burke v. Metropolitan Transportation Authority*, 2009 WL 1076053 (S.D.N.Y. 2009)
- *In re Transport Workers Union Local 100 (Roger Toussaint contempt proceedings)*, Kings County Sup. Ct. (2006)
- *Garcetti v. Ceballos*, 547 U.S. 410 (2006).
- *Janus v. Am. Fed'n of State, Cnty., & Mun. Emps., Council 31*, 585 U.S. 878 (2018).
- *Local 2507, Uniformed EMTs, Paramedics & Fire Inspectors v. City of New York*, No. 22-CV-10336 (S.D.N.Y. filed Dec. 7, 2022).
- *Local 2507, Uniformed EMTs, Paramedics & Fire Inspectors v. City of N.Y.*, No. 22 Civ. 10336 (S.D.N.Y. 2024).
- Marc Kagan, *The 2005 New York City Transit Strike: A Lasting Scar*, Jacobin (Dec. 2025)
- *Matter of City of New York (Uniformed Fire Officers Ass'n)*, 7 PERB ¶ 3036 (N.Y. Pub. Empl. Relations Bd. 1974).
- *Matter of Patrolmen's Benevolent Assn. v. City of New York*, 41 N.Y.2d 205 (1976)
- *Matter of Civil Service Employees Assn. v. Helsby*, 31 N.Y.2d 696 (1972)
- *Matter of Board of Educ. v. Associated Teachers of Huntington*, 30 N.Y.2d 122, 331 N.Y.S.2d 17, 282 N.E.2d 109 (1972)
- *Nat'l Lab. Rels. Bd. v. State of Cal.*, No. 2:24-cv-07039 (C.D. Cal. filed Aug. 16, 2024).
- *New York City Transit Auth. v. Transport Workers Union of Am., AFL-CIO, Local 100*, 35 A.D.3d 73, 822 N.Y.S.2d 579 (2d Dep't 2006).
- *City of New York v. Patrolmen's Benevolent Association*, 41 N.Y.2d 205 (1976),
- *Patrolmen's Benevolent Association of the City of New York Inc. v. City of New York*,
- Andrew A. Peterson, *Deterring Strikes by Public Employees: New York's Two-for-One Salary Penalty and the 1979 Prison Guard Strike* (unpublished manuscript).
- *Pickering v. Bd. of Educ.*, 391 U.S. 563 (1968)
- Regional Plan Association, *Impacts of the 2005 NYC Transit Strike* (2006);
- *San Diego Bldg. Trades Council v. Garmon*, 359 U.S. 236 (1959).

- Andrew J. Sorkin, *N.Y. Transit Strike Halts City and Costs Millions*, *New York Times* (Dec. 2005).
- *Teamsters Local 2010 v. Regents of Univ. of Cal.*, 40 Cal. App. 5th 659 (2019)
- *Uniformed Sanitationmen's Ass'n, Local 831 v. Lindsay*, 385 U.S. 850 (1966)