

## **PRIVILEGED AND CONFIDENTIAL: LEGAL WORK PRODUCT**

**To:** [Executive Leadership Team / Board of Directors]

**From:** [Legal Counsel Name]

**Date:** [Insert Date]

**Subject:** Strike Preparation and Business Continuity Legal Advisory

Dear [Recipient Name],

In anticipation of potential industrial action by [Union Name], this letter outlines the legal framework and necessary preparations to ensure business continuity while maintaining compliance with labor laws.

### **1. Operational Rights and Business Continuity**

The company maintains the legal right to continue operations during a strike. Management should finalize the following:

- **Replacement Labor:** Identification of temporary workers or reassignment of non-striking personnel.
- **Security Protocols:** Implementation of enhanced site security to protect assets and employees crossing picket lines.
- **Supply Chain Management:** Notification to key vendors and logistical adjustments to circumvent potential picket delays.

### **2. Prohibited Conduct (Unfair Labor Practices)**

To mitigate legal risk under the [Applicable Labor Act], management must avoid the "TIPS" rule:

- **Threats:** Do not threaten employees with termination or loss of benefits for participating in a protected strike.
- **Interrogation:** Do not question employees about their union sympathies or strike intentions.
- **Promises:** Do not promise special benefits or raises in exchange for voting against a strike.
- **Spying:** Do not engage in surveillance of union meetings or legal picket activity.

### **3. Picket Line Protocol**

While employees have the right to peaceful picketing, the company may seek legal remedies (such as injunctions) if the following occurs:

- Physical blocking of entrances or exits.
- Violence or threats of violence against non-striking staff.
- Property damage or trespassing on private company property.

#### **4. Communication Strategy**

All communications regarding the strike must be vetted by the legal department to ensure they are "fact-based" and do not constitute unlawful coercion or direct dealing. Detailed logs of all strike-related incidents should be maintained for potential use in future litigation or arbitration.

We recommend a formal briefing session with all departmental supervisors to review these guidelines immediately.

Sincerely,

[Signature]

[Name of Legal Counsel]

[Title]