# ND21 Lay NC

\*\*mentions of police violence\*\*

#### I negate the resolution “Resolved: A just government ought to recognize the right to strike.”

#### My value is morality, because the word “ought” implies a moral obligation according to the Merriam Webster dictionary.

#### My value criterion is minimizing structural violence. Structural violence is a form of violence where some social institutions may harm people by preventing them from meeting their basic needs. Structural violence is often the cause of discrimination – racist policies like segregation were institutions that prevented black people from having the same freedom as whites.

## Contention 1 is Racist Strikes

#### By allowing the unconditional right to strike, the aff also allows racist strikes – these are strikes that people hold in order to discriminate against others. For example, if I were to strike to get a black coworker fired based off of their race alone, that would be considered a racist strike.

Business and People Strategy Consulting state,[Unfair Labor Practices by Union, http://bpscllc.com/unfair-labor-practices-by-unions.html, N.D., Business & People Strategy Consulting Group, California's trusted source for workplace human resources and employment law] [SS]

Causing or Attempting to Cause Discrimination: Section 8(b)(2) makes it an unfair labor practice for a labor organization to cause or attempt to cause an employer to discriminate against an employee in violation of Section 8(a)(3). The section is violated by agreements or arrangements with employers, other than lawful union-security agreements, that condition employment or job benefits on union membership, on the performance of union membership obligations or on arbitrary grounds. But union action that causes detriment to an individual employee does not violate Section 8(b)(2) if it is consistent with nondiscriminatory provisions of a bargaining contract negotiated for the benefit of the total bargaining unit, or if the action is based on some other legitimate purpose. A union’s conduct, accompanied by statements advising or suggesting that action is expected of an employer, may be enough to find a violation of this section if the union’s action can be shown to be a causal factor in the employer’s discrimination. Contracts or informal arrangements with a union under which an employer gives preferential treatment to union members also violate Section 8(b)(2). However, an employer and a union may agree that the employer will hire new employees exclusively through the union hiring hall if there is no discrimination against nonunion members on the basis of union membership obligations. In setting referral standards, a union may consider legitimate aims such as sharing available work and easing the impact of local unemployment. The union may also charge referral fees if the amount of the fee is reasonably related to the cost of operating the referral service. A union that attempts to force an employer to enter into an illegal union-security agreement, or that enters into and keeps in effect such an agreement, also violates Section 8(b)(2), as does a union that attempts to enforce such an illegal agreement by bringing about an employee’s discharge. Even when a union-security provision of a bargaining contract meets all statutory requirements, a union may not lawfully require the discharge of employees under the provision unless they were informed of the union-security agreement and their specific obligation under it. A union violates Section 8(b)(2) if it tries to use the union-security provisions of a contract to collect payments other than those lawfully required, such as assessments, fines and penalties. Other examples of Section 8(b)(2) violations include: Causing an employer to discharge employees because they circulated a petition urging a change in the union’s method of selecting shop stewards Causing an employer to discharge employees because they made speeches against a contract proposed by the union Making a contract that requires an employer to hire only members of the union or employees “satisfactory” to the union Causing an employer to reduce employees’ seniority because they engaged in anti-union acts Refusing referral or giving preference on the basis of race or union activities when making job referrals to units represented by the union Seeking the discharge of an employee under a union-security agreement for failure to pay a fine levied by the union

#### Racist union strikes have happened before – historical precedent proves that it causes massive violence against minorities.

Allison Keyes, journalist for smithsonian, provides an example JUNE 30, **2017**, "The East St. Louis Race Riot Left Dozens Dead, Devastating a Community on the Rise," Smithsonian Magazine, https://www.smithsonianmag.com/smithsonian-institution/east-st-louis-race-riot-left-dozens-dead-devastating-community-on-the-rise-180963885/ //SR

Racial tensions began simmering in East St. Louis—a city where thousands of blacks had moved from the South to work in war factories—as early as February 1917. The African-American population was 6,000 in 1910 and nearly double that by 1917. In the spring, the largely white workforce at the Aluminum Ore Company went on strike. Hundreds of blacks were hired. After a City Council meeting on May 28, angry white workers lodged formal complaints against black migrants. When word of an attempted robbery of a white man by an armed black man spread through the city, mobs started beating any African-Americans they found, even pulling individuals off of streetcars and trolleys. The National Guard was called in but dispersed in June.

#### We aren’t saying that people shouldn’t be allowed to strike at all, but rather that the unconditional right to strike is bad because it allows these sorts of discriminatory impacts to happen. Having the unconditional right to strike prevents the government from intervening when these strikes turn violent.

## Contention 2 is Police Strikes

#### The aff also enables police strikes which are often held for corrupt purposes – police will strike to prevent their coworkers from being fired, but oftentimes it puts back violent people back in positions of power.

Samantha Michaels, a reporter at Mother Jones, writes in, a reporter Sept/Oct-**2020**, *Samantha Michaels is a reporter at Mother Jones,* "If you want to defund the police, start with their unions," Mother Jones, https://www.motherjones.com/crime-justice/2020/08/police-unions-minneapolis/ //SR

As the year 1990 came to an end, a fight broke out during a New Year’s Eve celebration at the Juke Box Saturday Night bar in downtown Minneapolis. A 21-year-old white student grabbed Michael Sauro from behind. Sauro, an off-duty white police officer working as a bouncer, handcuffed the man, dragged him to the kitchen, and then repeatedly drove his steel-toed paratrooper boots into his groin and head. Sauro had been a cop for 15 years and had a long record of citizen complaints against him, most of them about excessive force. “I was dealing with animals,” he would later tell a reporter when asked about the people he’d beaten. “I mean, my dog is more human than them.” But he had never been disciplined. Four years after the bar fight, a court found that Sauro had used excessive force against the student, and it awarded $700,000 to him, then the largest civil award settlement in the city’s history. By then, Sauro had racked up 32 citizen complaints, though none had been sustained. The mayor finally fired him. But his absence from the police department was short-lived. With the help of his union, the Police Officers’ Federation of Minneapolis, Sauro appealed to an arbitrator, who soon forced the city to rehire him with back pay. “These arbitrators always rule in favor of the police. It’s absolute and utter BS,” says Robert Bennett, an attorney who represented the victim and has sued the department dozens of times. A few months later, the police chief fired Sauro a second time for punching a Black student in the face near the Juke Box Saturday Night bar after the same New Year’s Eve party. Again, an arbitrator forced the department to rehire him. Then-Mayor Sharon Sayles Belton expressed her disappointment. “Allegations of abuse around Mike Sauro do not help create a climate of trust and respect,” she said. Sauro was rehired in 1997 and stayed on the force for nearly two more decades. Eventually, his bosses put him in charge of the sex crimes unit, where women accused his team of failing to investigate some of their rape cases. In 2018, Amber Mansfield said he ignored her complaint that a man she knew had choked and raped her. “Sometimes victims have to take some responsibility for their decisions and their actions,” he told a reporter at the time. In 2019, after Sauro retired, an internal review found 1,700 untested rape kits at the department dating back to the 1990s. (Sauro disputes this finding.) Three decades after Sauro beat the man at the bar, the Minneapolis police union is fighting to protect another set of officers accused of violence. On Memorial Day, Derek Chauvin knelt on the neck of George Floyd for nearly nine minutes, even after Floyd said he couldn’t breathe and went unconscious. Three officers who were with Chauvin never intervened. As Floyd’s death thrust the nation into protest, Mayor Jacob Frey described the city’s police union as a “nearly impenetrable barrier” to disciplining officers for racism and other misconduct, partly because of the legal protections it bargained for. “We do not have the ability to get rid of many of these officers that we know have done wrong in the past,” Frey told the podcast the Daily in June. Police unions are at the center of questions about what will happen to Chauvin and the three officers who watched as Floyd was suffocated. And they are also key to understanding why officers across the country escape discipline time and again after beating or killing people. As other labor unions have shrunk in recent years, membership in police unions has remained high. While the Black Lives Matter movement encouraged people to document police brutality on camera and demand accountability, police unions, which now have hundreds of thousands of members, have pushed back in almost every way imaginable—by overturning firings, opposing the use of body cameras, and lobbying to keep their members’ disciplinary histories sealed. All of which can make officers feel invincible when they commit acts of violence. A forthcoming research paper from the University of Victoria in Canada found that after police officers formed unions—generally between the 1950s and the 1980s—there was a “substantial” increase in police killings of Black and Brown people in the United States. Within a decade of gaining collective bargaining rights, officers killed an additional 60 to 70 civilians of all races per year collectively, compared with previous years, an increase that researchers say may be linked to officers’ belief that their unions would protect them from prosecution. A working paper from the University of Chicago found that complaints of violent misconduct by Florida sheriffs’ offices jumped 40 percent after deputies there won collective bargaining rights in 2003. Police unions, like all unions, were designed to protect their own. But unlike other labor unions, they represent workers with the state-sanctioned power to use deadly force. And they have successfully bargained for more job security than what’s afforded to most workers, security they can often rely on even after committing acts of violence that would likely get anyone else fired or locked up. And yet, in the broader push to reform the criminal justice system, police unions have remained largely untouchable, both by the broader labor movement, which has avoided criticizing their bargaining process, and by politicians on both sides of the aisle, who have accepted millions of dollars in campaign donations from them. Democrats don’t want to come down against unions, and Republicans, who are normally happy to attack unions, don’t want to mess with the police. When former Wisconsin Gov. Scott Walker destroyed collective bargaining rights for his state’s public sector unions in 2011, he left police unions mostly unscathed. The AFL-CIO, the country’s largest labor coalition, has referred to police unions as rightful beneficiaries in the movement for workers’ rights.

#### This isn’t just a hypothetical – historically, strikes have put racist policemen back on the force.

Erin Erin Corbett, 6-23-**2020**, *Freelance journalist and writer on politics, feminism, and social justice. Seen in MSN, Yahoo, VICE, Fortune, People Magazine, Bustle, The Daily Dot, Alternet, Money, The Trace, Rewire.News, Daily Hampshire Gazette, and more*. "Police Are Going On Strike. Should Anyone Care?," https://www.refinery29.com/en-us/2020/06/9874441/police-going-on-strike-walkout-reason //SR

Atlanta police officers across the city last week staged a “sick-out” in protest after the Fulton County district attorney brought charges against the two officers who shot and killed Rayshard Brooks. The Atlanta police department did not confirm how many people called in sick, but “confirmed a larger-than-usual number of absent officers.” In three of the police department’s six zones, officers were not responding to calls, and many refused to leave their stations unless another officer required backup. A similar scene played out in Buffalo, New York where 57 officers quit an elite police unit in protest after two officers were suspended for pushing an elderly man during an anti-police brutality protest. Likewise, in Philadelphia and New York City police are rumored to start calling in sick during protests, and organizing work slowdowns. As protests continue nationwide against racist policing, with calls now to defund and abolish policing — and as officers face punishment for using lethal force against civilians and brutalizing protesters — more and more of them are in talks to walk off the job. In effect, the cops are protesting the protests against them. But what’s the point of protests led by police officers, and what do they actually accomplish, especially amid ongoing national calls to abolish policing altogether? Police have organized work slowdowns in the past in response to institutional action being taken against them. As The Daily Beast reports, when local governments take action against police over misconduct, particularly when these incidents are caught on video and go viral, “cops can feel like they’re being punished for carrying out orders in a way their superiors secretly condoned.” In other words, they feel like scapegoats for following orders and then being met with public pressure to be held accountable. Work slowdowns are generally organized to sway public opinion of the police force. But in a moment of national unrest in response to police brutality, a police-led protest may not be the best tactic to gain public support. “It doesn’t seem to be a particularly well thought through strategy,” Dennis Kenney, a professor of criminal justice at John Jay College told Refinery29. “The idea behind it is to express dissatisfaction with the way they perceive they are being treated. It seems a bit of a misplaced activity this time.” Kenney further explained that police-organized protests at this moment is a “very different ballgame from the perspective of their unions” because they aren’t focused around a labor dispute. Instead, the entire country is engaging in a conversation about the very existence of these agencies. “It seems self-defeating,” said Kenney. Police have historically organized strikes for a variety of reasons and with different results. Perhaps the most famous police protest was the Boston police strike in 1919 when 80 percent of the city’s police protested to organize a union. During the work stoppage the city experienced more robberies.

#### Allowing police strikes causes **endless violence – those who abuse their power, especially against minorities, are only put back on a pedestal where they gain even more influence.**

## Contention 3 is Healthcare Workers

#### There are large paramedic shortages right now - this is exacerbated in rural areas where health services are most needed. Allowing healthcare workers and strikes endangers those who are in need of life saving care.

Kate CNBC states, FEB “The need for EMTs and paramedics is growing, but finding people to fill the jobs isn’t easy,” CNBC, <https://www.cnbc.com/2019/02/01/the-need-for-paramedics-is-growing-but-strong-labor-market-makes-hiring-hard.html> | DD JH

On any given day, Eric Mailman may transport a baby born into a neonatal intensive care unit from one hospital to another, or he could answer a call for an elderly person in cardiac arrest. The paramedic and operations coordinator at Northern Light Health’s medical transport and emergency care in Bangor, Maine, can answer anywhere between four and 17 calls in a day, on shifts that can stretch from 12 to 24 hours. The only guarantee is that work will be busy and unpredictable. “The positive is that you get to step in on the chaos of the worst day of someone’s life and bring some calm and peace — to me that is priceless,” Mailman said. “But there are days when you can’t intervene, where things are out of your control. It’s impossible to help everybody, and those days are the hardest.” At Northern Light, some 170 people work in emergency medical services and transport, but the system is currently about 10 percent understaffed. Challenges are many in hiring — the community is rural, and while the pay and benefits can be competitive, the job itself is a big commitment, requiring sometimes up to two years of training, recertification and continuing education. Roughly five years ago, there were 15 to 20 applicants per open position, says Joe Kellner, vice president of emergency services and community programs at Northern Light. Today, however, it’s not uncommon to post a job and have zero applicants respond, he said. The tight labor market is particularly weighing on the health sector. The health-care industry added 42,000 new jobs in January, with more than 22,000 in ambulatory health-care services and another 19,000 in hospitals, [according to Friday’s closely watched Labor Department report](https://www.cnbc.com/2019/02/01/nonfarm-payrolls-january-2019.html). The health-care sector has added 368,000 jobs over the past year, while unemployment continues to hover near historic lows. “Fewer people are entering the profession, unemployment is low, and this is also a job that many people used to get into through volunteerism and in local communities — there is a lot less of that,” Kellner says. “The pathway in is harder and harder, but we try to create solutions for that.” Northern Light’s system is run in partnership with a larger nine-hospital system throughout the state, allowing for more reliable funding and options for those using emergency medical services as a stepping stone to other areas of health care. The company also reimburses for tuition, offers competitive paid time off and a retirement plan with a matching employer contribution. Highly trained paramedics are paid about $27 an hour. Emergency medical technicians and paramedics like Mailman are in demand, not just in Bangor but around the country. Challenges persist beyond just finding people to fill jobs in more rural areas, however — [2017 median nationwide pay](https://www.bls.gov/ooh/healthcare/emts-and-paramedics.htm) was just more than $33,000, or about $16 an hour. Funding can also be an issue in some communities, as reimbursements from insurers, patients, and Medicare and Medicaid are outpaced by wage pressures and costs to operate. This is especially common in volunteer programs, funded in large part by community donations and local taxpayer dollars. “If people really want to feel confident that they can call 911 and someone will come, they need to support their community so it will provide that kind of service,” says Kathy Robinson, program manager for the National Association of State EMS Officials. Health-care hiring boom The need for EMT and paramedic workers comes as the health-care sector continues to boom. “The strong economy definitely has an impact,” says Ani Turner, co-director of sustainable health spending strategies at nonprofit research organization Altarum. “We are at full employment, so along with expanded insurance coverage in the Affordable Care Act that started to take effect part way through 2014, we have a lot of people that now have health insurance coverage. More people with health benefits, more people with insurance increases the demand for health care and therefore health jobs.” Much of this growth came from the ambulatory sector, with an emphasis on outpatient care, which added 37,800 jobs in December 2018. What’s more, out of the 30 fastest-growing occupations through 2026, per BLS, [nearly half fall under the health-care category](https://www.bls.gov/ooh/fastest-growing.htm), and analysts say there’s likely no slowing down ahead. The workforce continues to age, as does the population in need of care, the opioid epidemic persists, and the pool of skilled labor remains tight. With all that growth, there’s no doubt demand will continue within systems like Northern Light, where trained professionals like Mailman are ready to answer the call. “I love my job. I can’t imagine doing anything different than what I do,” Mailman said.

#### Ambulance strikes in countries lead to increased mortality rates and massively delayed response time.

The Times writes, ,3-27- "Pensioner’s death linked to ambulance strike," No Publication, <https://www.thetimes.co.uk/article/pensioners-death-linked-to-ambulance-strike-m89w3tkcx3t> | DD JH

An elderly patient died in London while waiting for a delayed ambulance during autumn’s mass strike, in which more than half of the capital’s ambulance workers walked out. An official NHS report will today claim the death could be linked to the industrial action on November 30, revealing how it led to major delays in the 999 emergency service. Some patients in “life-threatened” situations were forced to wait for more than two hours for a response, while many others were left in “distress and pain”, it finds. The study, seen by The Times, claims that the death - at 4.35pm - was “potentially linked to a delayed response”. A further investigation is expected to confirm that the patient was waiting too long for the ambulance but cannot conclusively blame that for the patient’s death. The NHS London report says the death occurred over three hours after the London Ambulance Service declared an “Internal Major Incident” and called on the unions to repudiate the strike. Services were so clogged up by then that dozens of emergency cases were being held with many patients forced to wait an hour or longer for a response. However, the strike continued and very few members of staff returned to work, the study says. Hundreds of people who needed urgent medical attention received delays in their care. Some 875 patients in “potential immediately life-threatened” situations - classified as category A - were forced to wait longer than the eight-minute target for an urgent response. Of those, 318 waited longer than 19 minutes. By the evening some patients whose lives were at the highest level of risk classified had to wait more than two hours. The NHS London report concludes that the action had a “significant effect” on the operational capability of the ambulance service. It fears that “timely, consistent, effective and safe clinical care” was not delivered. “Undoubtedly some patients waited too long for an ambulance, in particular those patients with non life-threatening conditions and it is recognised that these patients were often in distress and pain,” it concludes. The report finds that the majority of patients had to wait longer than nationally mandated standards. The expectation was that 30 per cent of staff would walk out but over half actually did and the service was not able to handle it. In some parts of the capital staffing levels fell to just 10 per cent. ADVERTISEMENT The report reveals how 117 calls were being held by 1pm, with over 50 waiting more than an hour. By 4pm four category A patients were being held for more than an hour. By the evening dozens of emergency cases were not responded to for between one or two hours. The ambulance service has a target of responding to three quarters of category A calls within 8 minutes. On November 30, that fell to below one quarter. It insists that future strikes must be better dealt with.

#### These strikes disproportionately hurt those who live in rural areas or those who don’t have that much money – they don’t have the resources to go to another hospital and often can only rely on the one closest to them, but if there are no workers, then they are left to die.

#### Now, I’ll be moving on to my opponent’s case.