

Strikes vs. Lockouts – What’s With All the Noise from Minnesota Orchestras?

strike: n. (1810) **1.** An organized cessation or slowdown of work by employees to compel the employer to meet the employees' demands; a concerted refusal by employees to work for their employer, or to work at their customary rate of speed, until the employer grants the concessions that they seek. — Also termed walkout. Cf. lockout; boycott; picketing. (Black's Law Dictionary (9th ed. 2009)).

lockout. N. (1854) **1.** An employer's withholding of work and closing of a business because of a labor dispute. (Black's Law Dictionary (9th ed. 2009)).

	Strike	Lockout
Who stops the work?	Employees	Employer
What’s the action?	Refusal to work, or working at decreased pace.	Refusal to allow employees to work.
When is the tactic used?	Deadlocked labor negotiations	Deadlocked labor negotiations
What’s the pressure?	Decreased production, and therefore decreased earnings for the other side.	Economic hardship imposed on workers, i.e. decreased earnings for the other side.
Why?	As a bargaining tool to influence an employer’s concessions in contract terms.	As a bargaining tool to pressure employees into accepting concessions in contract terms.
Employees entitled to unemployment benefits?	If the strike is caused by the employer’s willful failure to observe the health and safety section of a union contract.	No.

see <http://www.uimn.org/uimn/applicants/needtoknow/job-separations/> for more information on the circumstances under which employees may be entitled to unemployment benefits during labor disputes

From the definitions and the table above, it’s easy to see how strikes and lockouts may be confused as the same thing. Both are work stoppages. Both affect the economic interest of the other party. However, strikes and lockouts aren’t always the result of one side’s own wants and desires—sometimes one party will push the other side into a work stoppage because they feel the law will be on their side. This can lead to a lot of gray area when it comes down to determining “who started it?” The fact that employees are



typically not entitled to unemployment benefits regardless of whether the stoppage is initiated by them or the employer contributes another layer of policy implications to the debate over whether strikes and lockouts are fair negotiating tactics.

The Minnesota music scene has undergone two significant lockouts recently—both the St. Paul Public Orchestra and the Minnesota Orchestra have been faced with the dilemma of organizations operating beyond their budgetary means. More information on the opinions of both sides of the Minnesota Orchestra lockout can be found at <http://www.minnpost.com> in the Community Voices sections.

