

CALIFORNIA SUPREME COURT ISSUES HARSH RULING REGARDING UNION PICKETING ON PRIVATE PROPERTY

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A ruling by the highest court in California has adjusted this state's employment law, as union workers were effectively granted new rights in a case that dealt with a grocery store in the Golden State.

In *Ralphs Grocery Co. v. United Food & Commercial Workers Union Local 8*, labor union employees had sought to protest in front of the privately owned entrance to the establishment. Ralphs sought an injunction arguing that this was in violation of the state's law regarding picketing on private property.

In a 6-1 vote, the California Supreme Court ruled that Labor Code section 1138.1 and Code of Civil Procedure section 527.3 establish "the state's interest in promoting collective bargaining to resolve labor disputes" and allow labor unions and workers to picket on privately owned property, including the entrance to the shopping center supermarket.

It should be noted that the Court agreed with the grocery chain that privately owned space was not a public forum. Despite this acknowledgement, the court cited the statutes in defense of the workers, noting that unions have special protections written into the law. "Certain activities undertaken during a labor dispute are legal and cannot be enjoined," the Court stated. These aforementioned activities include peaceful picketing on private property.

While labor unions celebrated the ruling, the California Chamber of Commerce noted that this positioned the workers' rights in a higher standing than that of the employer. "The court's willingness to protect one type of speech (labor) over another (non-labor) is one of many concerns with the decision," the Chamber said in a release.

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