



CITY OF MADISON POLICE DEPARTMENT STANDARD OPERATING PROCEDURE



Labor Disputes and Picketing

Eff. Date 01/31/2023

Purpose

Negotiation and collective bargaining are legally recognized methods of peacefully settling labor disputes. The basic police function is to protect the lawful rights of parties to the dispute; to prevent conflict from erupting into violence; to take whatever action may be necessary to protect lives and property; and to maintain peace. The right to picket and disseminate information in a lawful and peaceful manner will be respected and protected.

Procedure

Planning for labor disputes involving picketing will be the responsibility of the Command Staff of the affected district. Communication should be established with both sides of the labor dispute to coordinate activities. Should events reach a point where they exceed district resources, Special Events Team (SET) Command will be consulted to determine the need to transition the police response to the event to a SET event.

Obligations of Madison Police Department Personnel

Madison Police Department (MPD) personnel, when on duty, must be completely impartial and strive to avoid any actions which give the appearance of partiality; therefore:

- Members shall make no public statement which reflects preference, in the form of support or opposition, for either side in a labor dispute, and
- Members shall not accept gifts of any sort, including food or beverages, from anyone involved in a labor dispute.

Picketing

Picketing and information dissemination shall be restricted to those areas that which are, or are considered to be, public; however, if the public nature of the premises is uncertain, peaceful picketing and information dissemination should be presumed by officers to be lawful unless told otherwise by a supervisor.

Picketing restrictions include the following:

- Picket lines shall not block public use of roads, sidewalks, or public ways.
- Violence, threats of violence, deception, coercion, or fraud on the part of any person, or on the part of any agent for any person, should not be tolerated.
- All community members shall be guaranteed access to picketed premises, free from violence or threats against them.
- Destruction of or damage to property will be cause for arrest.

Notification of Parties Involved

As soon as possible after the start of a labor dispute, MPD personnel will undertake to acquaint both parties with MPD policies in this area and with the manner in which they will be applied in the specific case. Whenever possible, such information will be provided to both parties in the presence of the other.

Communications with Parties Involved

Communications with both labor and management should be made through designated representatives who should be encouraged to pass on to those they represent the information or orders received from the police. Both sides of the dispute should be encouraged to keep the police informed of their intended activities.

Enforcement of Laws

All felonies committed during labor disputes will be handled by physical arrest. If an arrest is not immediately possible, every effort will be made to pursue a subsequent felony arrest. Serious misdemeanors and ordinance violations may be handled by arrest or citation as appropriate. Because enforcement of some minor offenses might lead to violence or greater hostilities, enforcement of them will be at the discretion of the supervisor present.

Enforcement of Injunctions

No arrests shall be made for violations of injunctions or court orders unless the MPD is specifically ordered by the court.

Original SOP: 02/25/2015

(Reviewed Only: 01/27/2016, 12/22/2016, 12/26/2017, 01/30/2019, 01/11/2021, 11/29/2023)

(Revised: 01/21/2020, 12/28/2021, 01/31/2023)