



Striking For Black Lives While Striking A Balance Between Business Needs And Employee Concerns

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Plans are underway in multiple cities across the country for employees to participate in a [Strike for Black Lives](#) on Monday, July 20. The initiative encompasses the efforts of [Black Lives Matter](#), the [Movement 4 Black Lives](#), and a union-organizing effort by the [Service Employees International Union](#). Strike for Black Lives encourages employees to “rise up for Black Lives” by walking off their jobs to march; and for those who can’t march, to take an “8:46 Pledge” in recognition of the death of George Floyd. The 8:46 Pledge asks supporters to take 8 minutes and 46 seconds at noon on July 20 to either take a knee, walk off the job, or observe a moment of silence.

Challenged by the threats of COVID-19, economic uncertainty, and now striking employees, [employers should be prepared](#). As a reminder, the National Labor Relations Act (NLRA), which governs both union and non-union workplaces, protects most private sector employees who engage in concerted, protected activities to object to working conditions or terms of employment. On the other hand, employees who miss work without a good reason or for one’s own personal grievances may be subject to companies’ regular policies. Regardless, it is prudent for employers to proceed with caution in taking action against employees who join the Strike for Black Lives. If you have questions or doubts, consult with counsel.

Meanwhile, the Strike for Black Lives and similar events present opportunities for businesses to bolster their commitments to diversity and inclusion beyond

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standard statements of support. A recent Harvard Business Review article outlines [recommendations for employers standing against racism](#). Others suggest allowing time off on short notice for last-minute marches and demonstrations. Showing flexibility in the application of company policies reflects a willingness to identify with employees' concerns and reinforces a business's own support for racial justice.

Although the convergence of extraordinary events in 2020 presents challenges for employers, in the words of John Adams, "Every challenge is an opportunity in disguise."