

When Labor's Locked Out: ConEd, Public Safety, and the Regulatory Response

December 1, 2012 | [Peter J. Hopkins](#), [Scott H. Strauss](#)

Scott Strauss and Peter Hopkins published an article in the December 2012 edition of *Public Utilities Fortnightly* titled, "When Labor's Locked Out." The article focuses on ConEd's 27-day lockout of its 8,000 member union workforce this past July, and the actions of the union, represented by Spiegel & McDiarmid, to have the New York Public Service Commission investigate ConEd's service performance during the lockout and order the return of the workforce. The article examines the scope of federal labor law preemption with respect to the police power of state utility regulators to ensure during a lockout the provision of safe, adequate and reliable service. The article may be downloaded below or accessed from the *Public Utilities Fortnightly* [website](#).

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