

Working during a Strike- Q and A's – Research Employees

1. What is a strike?

A strike is defined as “a cessation of work, refusal to work or to continue to work, by employees in combination or in concert or in accordance with a common understanding, or slow-down or other concerted activity on the part of employees designed to restrict or limit output”.

2. When is a Union in a legal strike position?

Prior to any strike or lock out a conciliator must be appointed and will attempt to assist the Parties in reaching an agreement. If all outstanding matters cannot be settled during conciliation the conciliator reports the failure to settle to the Minister of Labour. The minister will then issue a “No Board Letter”. The Union is in a position to legally strike 17 calendar days after the No Board Letter has been issued (the legal strike/lockout date is 12:01 a.m. on the morning of the 17th calendar day from the date of the “no board” letter)

3. Is the Union Permitted to Picket?

Yes. The Union is permitted to picket but with certain restrictions.

Pickers are legally permitted to:

- Carry signs stating the nature of the dispute.
- Speak to people entering the property about their concerns.
- Ask persons entering the property to join the picket line.

Pickers are **not** legally permitted to:

- Blockade entrances to the University.
- Use force, threats or threatening gestures.
- Construct physical barriers to block access to the University.
- Engage in unlawful behaviour.
- Trespass to interfere with employees who wish to work, by force or to use threats or moral pressure amounting to compulsion.

4. Is the Union permitted to Picket on University Property?

No. There will be no picketing permitted on University property. We have the authority to ban strike-related equipment such as portable toilets or blockade gates on University property.

5. I am not represented by CUPE Local 3903 which is on strike, am I required to attend work?

Yes. Research Employees in the Organized Research Units are expected to attend as per the terms and conditions of their contracts. Organized Research Units are expected to remain open normal operating hours.

6. Will the other Research Units be open?

Yes, the Offices of the Vice-President Research & Innovation, Research Services and Research Ethics will be maintaining normal operating hours during any CUPE 3903 strike.

7. What if I have previously booked off vacation, sick, or personal time?

The ORU will honour previously booked vacation time, personal leave, and leaves of absence. However, new requests for time off will be governed by operating requirements and consistent with terms of their contracts.

Employees who call in sick may be requested to provide a medical certificate.

8. Will public transit services be available?

Yes. However, it is possible that transit services will drop passengers at designated stops outside picket lines. We recommend that you check the Transportation Services website for additional details:

<http://www.yorku.ca/transportation/>

9. What happens if I arrive at the University but am unable to cross the picket line or am significantly delayed?

You should contact your manager and report the incident to the Emergency Operations Centre [416-650-8420].

10. What happens if I face threats or use of force by picketers?

You should not engage in any confrontation with picketers. You should immediately withdraw and contact the Emergency Operations Centre [416-650-8420].

11. As a research employee, will I be allowed to work from home in lieu of attending work or work modified hours?

No. You are expected to attend work as per your regularly scheduled hours of work.

12. Will training initiatives be continued?

Yes. Training sessions scheduled through Learning and Development are expected to continue during the strike. If there are questions about particular sessions, please contact Learning and Development (ext 40774) or check the Learning and Development website: <http://www.yorku.ca/hr/hrlearn.html>

13. What if I am a student and also an employee?

If you are employed in a position not covered by CUPE Local 3903, you will be required to attend work to fulfill job requirements unless other arrangements are agreed to in advance.

14. What if I have been assigned modified duties and/or hours through an accommodation plan continue?

Any modified duties and /or hours as part of an accommodation plan will continue.

15. What if I require mobility assistance?

Questions about mobility assistance should be should be directed to VanGo (416-873-3796) or the Transportation Services for additional details: <http://www.yorku.ca/transportation/>

16. Where do I go to receive updated information regarding negotiations?

There will be regular updates posted on the Department of Human Resources and Employee Relations Negotiations Update site:

<http://webapps.yorku.ca/negotiationsupdates/>