

ugFACT sheet Questions & Answers

June 2014

The two parties, UGFA and the Administration, met today (Monday June 23rd) and exchanged proposals. We remain committed to good faith bargaining to reach an agreement, and further meetings are scheduled. However, there are very few days remaining in the term of the existing Collective Agreement, and many substantial issues are still unresolved. We are receiving numerous queries from members concerning the possible consequences if an Agreement is not reached. To respond to these concerns, we are now distributing an updated version of the Q&A on this subject that was originally sent out in 2007.

1. What is a strike?

Pursuant to Section 1(1) of the Ontario Labour Relations Act, 1995, a strike is a cessation of work by employees.

2. What is a lockout?

A lockout is a situation in which the employer prevents the employees from working or receiving pay.

3. What is Conciliation?

Conciliation is a process in which a Conciliation Officer appointed by the Ministry of Labour acts as an intermediary between the two parties. At any point during negotiations, either party may request Conciliation. Conciliation is non-binding. At least one meeting with a Conciliator must take place before a lockout or strike can occur. In the current negotiations, neither party has yet requested Conciliation.

4. When would the parties be in a legal position for a strike or lockout?

Should conciliation fail, a strike or lockout becomes legal on the 17th day after the Minister of Labour mails a "no-board" notice. A "no-board" notice is a decision by the Minister not to appoint a "Conciliation Board" to extend the Conciliation process. (In Ontario, such Boards are rarely appointed.)

5. Must there be a strike vote before a strike can take place?

Yes. UGFA members cannot lawfully strike unless they have approved the strike by a secret ballot.

6. In a strike vote, are only votes cast counted?

Yes. For example, if 100 of 125 members cast ballots, 90 For and 10 Against, then the strike vote is "90% in favour".

7. What are the advantages of a strong strike vote?

A strong strike vote demonstrates support for your negotiators. They can then go back to the negotiation table in a position of strength. This can shift the climate of negotiations in favour of the union. A strong strike vote places additional pressure on the Administration to negotiate fairly. It is sometimes said that "a strong strike vote is the best way to prevent a strike."

8. Do all bargaining units go out if a strike is called?

No. Members of all other bargaining units must cross the picket line, unless their Collective Agreement grants them the right not to.

9. How much is strike pay?

The strike pay is \$84/day (for 7 days per week), commencing on the 4th day of a strike/lockout. To receive strike pay, members would be required to perform strike duties. The nature of strike duties would be decided by UGFA Executive and the Strike Preparedness Committee.

10. What would happen in case of a lockout?

CAUT (Canadian Association of University Teachers, to which UGFA belongs) considers a lockout to be the same as a strike, in effect. We would have information pickets, and members would receive the same strike pay, doing the same duties, as they would on strike.

11. Is there additional financial assistance?

CAUT provides all Associations on strike or lockout with a \$1 million loan at no interest. This loan can be used to pay any expenses the Association has to incur for temporarily covering employees' benefits, including, if necessary and with limits, some supplementary funds for members who need assistance for, as an example, paying their mortgage. Such supplementary funds would require signing of an agreement and would become available after the next regularly scheduled pay.

12. What happens to working conditions during a strike or lockout?

Working conditions can be changed, as we would have no active Collective Agreement. Normally, a union does not end a strike (nor does an employer end a lockout) until a Collective Agreement has been signed by both parties.

We hope that this fact sheet has addressed some of your concerns. Please feel free to contact the Association at any time.