

CUPE 3913 STRIKE VOTE FAQ

1. What is a strike vote? Why is it important?

The strike vote (also sometimes referred to as a 'strike mandate vote') asks you to give your bargaining team permission to call a strike if or when the union and the university reach an impasse at the negotiating table.

A positive strike mandate vote does *not* mean we will go on strike, but it does authorize the bargaining team to call a strike if one becomes necessary in order to secure a fair deal. It also instructs the union to begin necessary preparations for a strike or lockout situation. It's important to know that **a strong strike mandate vote with a high turn-out is the best way to avoid a strike,** because it gives the bargaining team the leverage they need to make the university return to the table and seriously address the membership's proposals and priorities.

Strike votes must happen in accordance with Section 79 of the Ontario *Labour Relations Act* (<https://www.ontario.ca/laws/statute/95l01/v23>) and Section B.2.2 of the Local's bylaws to learn more about a strike mandate vote, click this link:

https://cupe3913.on.ca/Portals/0/3913_Bylaws_2021.pdf?ver=c6QNqXZJ1I09Jy3JO9olBQ%3d%3d)

2. Why are we calling for a strike vote NOW?

When we began bargaining last October, we and the university expressed a desire to complete negotiations relatively quickly. In particular, your bargaining team made it clear that we wanted to complete work on non-monetary proposals by the end of the Fall 2023 semester, and begin work on monetary proposals this semester.

While we worked steadily to respond to all of the university's proposals and questions, the university failed to match our commitment, working at a pace so slow that we have not yet completed the non-monetary proposals, and, if they keep to the current pace, bargaining may drag on through the summer. This puts them at an advantage, as striking during the summer is very ineffective because there are far fewer courses being offered from which TAs and Sessionals could theoretically withdraw their labour. As well, many of the university's proposals so far are unclear, and their team offered no productive responses to our questions about them.

In short, we believe the university is not taking bargaining seriously, and we believe that a strong strike mandate vote will compel them to come to the table with the energy they committed to at the beginning, especially as the monetary proposals will be discussed soon.

3. Why should you vote YES in the strike vote? Does voting YES mean we will go on strike?

We need a significant majority of the membership to vote “yes”. Based on past collective bargaining experiences both at University of Guelph and at other universities, **when a union has have a strong strike mandate vote, it can more effectively bargain a new collective agreement in its favour.** That is, it sends a clear message to the Employer that the Union’s membership is not willing to simply accept a bad deal, or have one imposed on them.

4. Who can participate in a strike vote?

All Unit 1 and Unit 2 members of CUPE 3913 who have worked as a GTA, GSA, UTA. or Sessional Instructor in the past four (4) semesters can vote.

5. I’m an international student, can I get in trouble for participating in a strike vote?

Strike votes are required by law to be undertaken via **secret ballot**. It is illegal to discipline or punish someone, including international members, for participating in a legal strike vote or legal strike in Canada. Participating in strike votes and/or strike action at your workplace cannot negatively impact your student visa, citizenship application, or immigration status. If there is any reprisal against a member for participating in a strike vote or action, CUPE 3913 will represent you.

6. How many strike votes will there be?

Only one, so it is imperative that you vote!

7. Will the Union continue to negotiate with the Employer after a strike vote?

Yes. We will remain committed to trying to reach a deal at the table without having to call for a strike until the very last minute. Again, our power to do so will be increased by a strong strike mandate vote.

8. How do I vote in the strike mandate vote?

If a strike mandate vote is called, it will be in early February. The vote will be carried out online via Simply Voting, the site we have used for the past three elections. It is secure and anonymous. All members within their political membership (i.e., who have had a work assignment since W23) will be sent login information via Simply Voting at 12:01 am on the first day of voting. In the event a strike mandate vote is called, rest assured that we will keep you updated, and announce all information related to participating in the vote via email, social media and on our website at www.cupe3913.on.ca.

GENERAL QUESTIONS ABOUT A STRIKE

1. Will there be a strike or a lockout?

While it is impossible to say at this point whether or not there will be a strike or a lockout with any certainty, please know that we are working hard to avoid one.

2. Can I work while I'm on strike or locked out?

We ask all TAs and Sessionals to stop performing all work duties in the event of a strike. **Continuing to work while your peers are out on strike (known as “scabbing”) weakens the union’s position and may actually prolong the strike.** Most importantly, it jeopardizes every right and protection that your peers have been struggling to attain during bargaining that is ultimately for your benefit.

Please keep in mind that your work as union members is different from that as a student. That is, your work as a student can continue uninterrupted - you can still access your labs and other spaces to work on your research and dissertations. See question 7 below.

3. Can my supervisor make me work during a strike?

No. It is not legal for your supervisor, department chair, or a member of the University Administration to compel you to perform your regular Teaching Assistant or Sessional duties during a legal strike or lockout. Your supervisor should know this, because:

a) they are protected from “scabbing” (or performing “replacement worker” work) in the event of a strike or lockout, , and likely also under the terms of their own Collective Agreement(s) or employment contract(s); and

b) the Employer usually briefs other Employees on campus (including Faculty in supervisory roles) on what is legal and what is not legal in the event of a legal strike or lockout.

If you are asked by your supervisor or your Department Chair to continue your work as a Teaching Assistant or Sessional Instructor or to work as a “replacement worker” in the event of a legal strike or lockout, please let the Union know and we can help you.

4. If I'm not working, how do I make money?

From Day one of a Strike, **CUPE National takes on the burden of paying out strike pay and covering members' CUPE health benefits.**

Strike pay is \$300 per week (non-taxable) for 20 hours of strike duties performed per week. You must (a) currently hold a work assignment and (b) perform strike duties to receive strike pay.

Strike duties generally include picket line duties (see below); however there are alternate duties for those who cannot walk a picket line due to accessibility concerns.

5. What picket line duties do I need to perform to receive strike pay?

The most common work for a member on strike is walking a picket line. A picket line is a group of members blocking access to a university entrance point (e.g. the entrance on Stone Road) by gathering there to protest. This is meant to disrupt the everyday functioning of the university, including its ability to generate revenue. Please be assured that member safety is a priority, and the union will ensure that no one is placed in jeopardy.

There will also be other work that needs to be done supporting those on the picket line.

If you do not wish to participate, we encourage you to find out what your elected peers are fighting for and consider joining your colleagues on the picket line. At the end of the day, you will be enjoying the rights and benefits that your peers are fighting to protect, and they can only be successful with everyone's support and participation!

6. I'm an international student member. Is it legal for me to participate in a strike?

Yes, it's legal for international student members to participate in a strike, perform strike duties, and/or show support for the Union during contract negotiations. Receiving strike pay and performing strike duties are allowable under your permit to attend the University of Guelph as a student and worker. A strike or lockout doesn't change the fact that The University of Guelph is your Employer and/or the place where you are going to school.

7. Can I cross a picket line for classes? Are classes still going on?

Undergraduate and Graduate Classes usually continue in the event of a strike or lockout. Some grad classes may be held off-campus if tenured faculty choose not to cross a picket line. The union understands that some members have a "dual" role as Employees and students at the University of Guelph. In the event of a strike or lock-out, we ask you to cease all assigned work duties and come join your colleagues on the picket line. You may continue to go to academic classes or perform your personal academic research if we are on strike or involved in a lockout.

8. What do I do if my students ask me questions about a strike?

In the time leading up to a strike, you are responsible for fulfilling your duties as a Teaching Assistant or a Sessional. Of course, questions may come up in conversation about the likelihood of a strike or lockout at University of Guelph from your students. Feel free to inform students that they have rights and protections in the event of a strike or lockout. These rights and protections are outlined in the University's Policy on Academic Continuity" (Please see the link to this policy [Policy 2.2 - Policy on Academic Continuity | University Secretariat \(uoguelph.ca\)](#)) You can also feel free to direct students to our website, [CUPE 3913](#), for answers to commonly asked questions about the negotiations. You can also explain what we are fighting for - improved working conditions (e.g., more training, access to mental health supports) that will ultimately improve their education experiences, as well.

What is a lockout?

The Employer has the legal right to "lock out" its workers during the negotiation process if they follow the appropriate timelines set out by the Ontario Labour Relations Act. If the University of Guelph "locks out" its Teaching Assistants and Sessional Faculty, all of

the strike pay and benefits provisions will be in effect, and we will set up picket lines just as if we were on strike.

To whom do I refer questions about the negotiation process or the strike vote?

Please check out www.cupe3913.on.ca with any questions you may have. If you don't find an answer on the website, please contact the bargaining committee at bargaining.committee@cupe3913.on.ca