



CUPE MEMBERS UPDATE

January 30, 2017

As communicated with you in our past bulletins, CUPE commits to keeping you up-to-date on the current NSTU labour dispute. As this is our first bulletin of 2017, let us start by saying Happy New Year and wishing you and your family a happy and healthy 2017. We hope that you all enjoyed some much-needed time off over the Holiday Season.

NSTU return to Work to Rule.

As you know, NSTU has decided, starting today January 30th, to return to their Work-to- Rule, and CUPE continues to strongly supports NSTU in this work dispute. As trade unionists, CUPE will support any and all unions that choose to exercise their fundamental right to strike, not to mention, that NSTU members are our co-workers in our workplaces. Maintaining good relationships is essential toward working together, and we will do all we can to support NSTU and their quest for a fair, freely negotiated collective agreement. Their fight is and will continue to be labours' fight on these issues.

Support of NSTU Action.

As with the public, I am sure many of us have different opinions on the NSTU work-to- rule and more specifically their announcement on Friday to return to that process after calling it off last Monday. We also know many of you were looking forward to your work life returning to normal after last Monday's announcement. That being said, as CUPE, we will keep our thoughts and opinions to ourselves and will not take a public position at this time on how another Union conducts its business. We ask the same of you as a CUPE member: please do not engage in these conversations other than to re-affirm our commitment to support the NSTU on this fight for a fairly negotiated Collective Agreement.

What happens Today and moving forward?

On returning to work today, we as CUPE members will continue to do the following in support of the NSTU work-to-rule:

Unless advised otherwise by your supervisors or a member of management, we will continue to go to work and do our "normal duties". We will not pick up any extra work that the teachers are not performing, but we will report to work, and conduct our normal duties as if there were no labour dispute in affect. For all our **Classifications**, you will continue to report to work as you normally do, during your regular hours. As a CUPE member, you will report and do your work as "normal", and if you are instructed to do anything different, please let your local executive know immediately.

You are protected if you refuse to do extra duties

You are protected under Section 53 of the *Trade Union Act*, which states:

53 (3) No employer and no person acting on behalf of an employer shall:

(c) Suspend, discharge or impose any financial or other penalty on an employee or take any other disciplinary action against an employee, by reason of his refusal to perform all or some of the duties and responsibilities of another employee who is participating in a strike that is not prohibited by this Act.

CUPE has communicated directly with the Province to say that we will be invoking our rights under Section 53 and our members will not do any of the “struck duties” left by the teachers. We have also communicated this with your school board.

What should I do if I am asked to do something above my normal duties?

If you are asked to do any work that is normally performed by a teacher, that is above your normal job duties, or that happens on a more frequent basis, proceed as follows:

1. Calmly and politely explain to your supervisor, or the person making the request, that you believe you are being asked to perform “struck work” in violation of the Trade Union Act.
2. If they continue to request that you do the “struck work”, calmly and politely ask them to have your supervisor put the request in writing.
3. Immediately give this information to your local steward or executive member who will share it with your CUPE national representative.

If the request directly involves students, make sure they are safe and cared for, before you take this to your local officials.

If it does not directly involve students, then calmly and politely explain to your supervisor that you need to follow this process before taking on the duties.

Your local officials, along with your CUPE National Representative, will work with you and give direction on how to proceed.

Continued Support.

On Behalf of CUPE, THANK YOU for the great work you have been doing supporting the Labour Action. It will not be long before we may face the same obstacles in bargaining. Your strength and solidarity now is not going unnoticed and will strengthen us in the future!

Thank you and stay tuned for more CUPE updates!

*Chris Melanson
President
CUPE Local 5047*

*Trevor Surette
CUPE National Rep (Temporary)
CUPE Local 5047*

*Grant Dart
CUPE National Rep
Coordinator Education Sector*