



STRIKE FAQ

General Questions

What are we asking for?

In short, we are looking for a significant wage adjustment across all classifications.

Our members are struggling: the majority are considering leaving the education sector to find better-compensated work elsewhere. More than half of our members have had to take other jobs to make ends meet, and the vast majority say that wage increases since 2015 have not met their financial needs.

The majority of our members earn below Nova Scotia's median wage of \$35,000 per year. From 2012 to 2022, inflation in Nova Scotia increased by 23.5%, but our wages increased by 14.5%. That means the value of our wages is significantly less than what it was ten years ago.

A member who earned \$30,000 in 2012 earns approximately \$34,000 today in 2022. However, if wages had kept up with inflation, the member would be earning approximately \$37,000. That member is now short \$3000 a year because their wages did not keep pace with the rising cost of living.

Inflation pressures and government wage suppression *cut our pay* from what it was ten years ago. We now earn less in real terms than we did then.

We took strike votes to show the government that we are willing to take job action if that's what it takes to work and live in dignity.

Are we going on strike?

A strike is the final action we would take if all other ways of pressuring government to lift our wages fail. Your NSSBCU bargaining team is bargaining for a collective agreement, not a work stoppage. We will go on strike only as a last resort, but members have certainly told us that they are ready for a work stoppage if necessary.

How long would a strike last?

We only need to withhold our labour one day longer than the employer can function without us. If we go on strike, the more united and well-organized we are, the shorter the strike will be. The surest way to win a strike is for each and every member to participate, not to report to work.

Can the union go on strike whenever it wants?

No. There are specific conditions that need to be met for us to be able to legally strike:

- 1) We must secure a strike mandate from the membership, which we have done.
- 2) A conciliator (a neutral third party) has to work with the union and the employer to see if an agreement can be reached.
- 3) If an agreement cannot be reached, the conciliator will report to the Department of Labour that we are at an impasse. Once two weeks have passed since that report, we can then legally strike.

Does a strike actually have any effect on the bargaining process?

Yes! Striking when negotiations break down is our greatest power as workers.

Last fall, CUPE members at Dalhousie University went on strike and won significant wage increases. Around the same time, the Ontario government passed a law that prohibited CUPE education workers from striking and imposed a collective agreement on them. When workers refused to work as political protest, the government had to repeal the law and come back to the negotiating table. In 2021, in New Brunswick, when CUPE members went out on strike across the province, including education workers, they won real wage increases.

When the employer sees that we are united and strong, they are more likely to accept our demands for a real wage increase.

Aren't strikes bad?

Strikes are a powerful show of solidarity.

Government, employers and some media outlets paint strikes as events to be feared and avoided. It's true that strikes are disruptive, but that is their purpose. A successful strike forces the employer to come to an agreement that works for both parties, not just for the boss or the funder.

Many of the labour rights that we may take for granted were won through strikes, including sick pay, the 2-day weekend, the 8-hour work day, paid maternity and parental leave, health and safety protections at work, and much more. Strikes are a powerful tool for a union to not only achieve its immediate goals, but to also show the employer that members are willing to stick together.

But what about the kids?

Our working conditions are children's learning conditions.

The children suffer when our morale is down, when their support staff struggle to feed their own families. Our low wages are driving people to leave the work they love, which is creating a staffing crisis in schools. By going on strike to improve our working conditions, we can win improvements to their learning conditions.

Many education workers are also parents! We want better schools for *all* children of our province.

Strike pay

Do we get paid when we are on strike?

Your employer will not pay you, but CUPE will. Strike pay is \$300/week for 20 hours of strike duties, completely tax-free. It starts on day one of the strike.

If I can't picket for reason of medical restrictions, will I be accommodated?

If your medical restrictions prevent you from participating in 4-hour picket duty shifts, please contact your local strike committee to request an accommodation. The strike committee can approve alternate arrangements for strike duties on a case-by-case basis.

How do I receive strike pay?

You need to participate in strike duties and sign in and out of your daily strike duty shift with your picket captain. You also need to complete CUPE National's Form E Application for Strike Pay. Reach out to your picket captain if you have questions about payment.

Strike duties

What are strike duties?

These are duties assigned by your local strike committee that will help put maximum pressure on the employer to ensure the strike is as short as possible and that a new contract is reached as soon as possible.

Strike duties may include picketing, running strike headquarters, grabbing food or drinks for the picketers, chanting, making signs, lobbying politicians, talking to reporters, or any other duties that the local strike committee decides.

How long is a picket shift?

Normal picket shifts are four (4) hours per day, five (5) days per week, Monday to Friday. Members are asked to complete one 4-hour shift a day for a total of five shifts a week (20 hours).

Can I perform a double shift of 8 hours/day?

For the strike to be effective, members need to be on the picket line every day. If you need to request a different schedule, please speak with your local's strike committee who will review and approve on a case-by-case basis.

Who is a picket captain?

There is a picket captain for each picketing shift. Picket captains are your coworkers. They ensure picket activities go smoothly and deal with unexpected situations as they arise.

Can someone else do my work at school?

The Employer is legally allowed to ask someone else to complete your work, but they are not allowed to punish them for refusing to do your work.

What does it mean to “cross the picket line?”

“Crossing the picket line” is exactly as it sounds—walking past the workers blocking off an area who are engaged in a fight for a better deal. For example, if a picket line is surrounding a building and you enter the building anyway, you are crossing the picket line.

Failing to stand with your fellow union members and continuing to work during a strike undermines our position and can cause either the strike to last longer or the final deal to be less than we’re asking for.

What is a “scab”?

A scab is an individual who crosses the picket line to do their own work or the work of another striking union employee. These individuals are unhelpful and destructive to the union’s efforts to better your working conditions. Scabs often face social repercussions for their behaviour.

Your rights during a strike

Will I be punished for playing a role during the strike?

You have a protected legal right to strike. Management cannot legally discipline members for supporting their union. Your union representatives will support you if any action is taken by your employer. Please immediately report any employer retaliation to your union executives

Do I have to return employer-issued equipment if I end up on strike?

Yes, if asked, you must return all employer-issued equipment.

Do I accrue seniority for when I’m on strike?

It depends. At the conclusion of the strike, the union and the employer negotiate what is known as a return-to-work protocol. The union will push for the employer to recognize your seniority for the period of the strike.

What if I am on vacation when the strike starts?

If you are on approved vacation prior to the time the strike begins, your employer should honour the remainder of your approved vacation.

However, you are encouraged to cancel your vacation and participate in the strike because the stronger the participation, the more likely it is that you will win your contract demands. You can receive strike pay during the strike and take your vacation later.

Once on strike, you cannot go on vacation. You maintain all the vacation you have accrued up to the point of the strike, but do not accrue when you are on strike.

Benefits during a strike

What happens to my health benefits during a strike? Who pays the premiums?

Usually, employers do not discontinue benefit plans during a strike. CUPE strike fund will pay both the employer and employee share of benefits premiums for all members participating in the strike so you can continue to have benefits.

Can I get regular EI if I'm not working because of a strike or lockout?

No. Generally, if you're unable to work because of a strike, you can't get regular EI benefits.

However, you may be eligible for EI maternity, parental (includes adoption) or sickness benefits. If you were receiving these benefits prior to the strike, then your EI benefits should continue for the duration of strike. If you weren't yet on EI but can show that you were planning to begin receiving benefits during the strike, you are also eligible. If your leave wasn't anticipated or starts during the strike, you will not qualify for EI benefits.

The employer should continue to pay your parental leave top-up (if applicable) during the strike for as long as you are eligible.

I need a Record of Employment (ROE) from the employer. Are they obligated to provide one?

Yes, the employer should give you your ROE. If you can't get it, or there is a delay, don't wait for your ROE. Apply as soon as possible – a temporary claim can be set up for you. Bring proof that you were working, such as pay stubs, to the EI office when you apply for benefits.

I am on sick leave/short-term disability/ long-term disability during a strike. What now?

Your leave and benefits should continue if you were receiving them before the strike. If your benefits discontinue, contact your strike committee immediately. CUPE will continue the employee and employer STD and LTD premiums for members participating in the strike.

I am on WCB. Will my benefits continue during a strike?

Yes, provided that you continue to qualify medically and continue to co-operate with WCB requirements.