

FREQUENTLY ASKED QUESTIONS FOR FULL-TIME AND PART-TIME ACADEMIC STAFF (PROFESSORS, INSTRUCTORS, COUNSELLORS, AND LIBRARIANS)

As you may know, the College Employer Council has been involved in negotiations with OPSEU for the Agreement applicable to College Full-Time Support Staff (“**FTSS**”). The FTSS will be in a legal strike position at 12:01 AM on September 11, 2025.

The purpose of this document is to identify and answer some questions many have asked about a potential strike and how it affects your work:

Question: My union is telling me not to cross the picket line. What should I do?

Answer: **You should attend work as usual.** It is illegal for your union to counsel, or encourage, you to NOT attend work or withhold your services. Your union cannot counsel, nor encourage you to not cross the FTSS picket line. Only the FTSS will be in a legal strike position on September 11, 2025. Full-Time and Part-Time Academic Staff are not in a legal strike position and are expected to attend work in the normal course, whether online or in-person as directed by your College.

Question: My union is telling me that I can refuse to cross the picket line under the terms of the union’s constitution, the collective agreement, the union’s policies, etc. Is that true?

Answer: **No.** The Colleges Collective Bargaining Act prohibits “strike activity” unless a group is in a lawful position to strike. Strike activity includes a cessation of work, a refusal to work designed to curtail, restrict, limit or interfere with the operation or functioning of a college.

No union document, including the Constitution, can supersede the law, which is the “Colleges Collective Bargaining Act”. While OPSEU’s Constitution provides that “a Union member shall not violate the picket lines...” it also recognizes that there are exceptions where it is prohibited by law. This includes the prohibition in both your collective agreement (Article 1.3) and the Colleges Collective Bargaining Act, 2008, . against striking during the term of the collective agreement.

Question: What will happen if I choose not to cross the picket line and do not attend work?

Answer: If you refuse to cross the FTSS picket line and thereby withhold your services, **you will be participating in an illegal strike.** Employees who participate in an illegal strike will be subject to discipline up to and including possible termination.

Note that a concerted use of sick days, personal days, and/or vacation days designed to avoid crossing the picket line can also constitute an illegal strike.

In the event that you report for work and, despite your best efforts, are unable to enter the workplace because of the picketing activity, you must immediately telephone your manager, who will make arrangements on your behalf. Do not become involved in any

arguments or any type of altercation. Call your manager for support and instructions immediately. Be prepared to pass on details of the incident including the time, place, people involved and what occurred.

Question: Can I move my course to remote teaching?

Answer: Any decision to move to remote teaching will be made by each College contingent on the circumstances. If you refuse to deliver classes in the manner directed by the College this will be engaging in an illegal strike. The College may specifically direct you to continue teaching your class in-person. Refusal of such direction will be considered insubordination and will be subject to discipline up to and including possible termination.

Question: What are the College's expectations of me during an FTSS strike?

Answer: Business as usual – employees are expected to report to work as scheduled. You may need to cross a picket line to do so.

Question: Will the College pay me if I fail to provide my services because I refuse to cross the picket line?

Answer: **No, and you may be disciplined or terminated for any illegal strike activity.**